99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-649

MAKING URGENT SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1986, AND FOR OTHER PURPOSES

JUNE 19, 1986.—Ordered to be printed

Mr. WHITTEN, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4515]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4515) making urgent supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 26, 27, 38, 41, 76, 82, 83, 90, 105, 106, 116, 117, 123, 124, 137, 146, 151, 161, 164, 169, 178, 181, 185, 193, 200, 201, 202, 203, 204, 205, 215, 217, 219, 223, and 224.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 7, 8, 12, 14, 17, 37, 43, 46, 51, 52, 53, 56, 57, 61, 62, 65, 72, 75, 85, 89, 92, 100, 102, 110, 115, 118, 119, 121, 126, 141, 142, 148, 149, 150, 152, 157, 177, 195, 196, 197, 209, 212, 213, and 220, and agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

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In lieu of the sum named in said amendment insert: *$2,000,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

For an additional amount for State and local payments for costs associated with the distribution of commodities by emergency feeding organizations under the temporary emergency food assistance program in accordance with section 204(c) of the Temporary Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note), $2,437,000.

And the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$11,100,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$409,000,000*; and the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

COUNTERTERRORISM RESEARCH AND DEVELOPMENT

Notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956, for necessary expenses for "Counterterrorism Research and Development", $10,000,000, to remain available until September 30, 1987.

And the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *$30,000,000, of which $21,365,000*; and the Senate agree to the same.

Amendment numbered 127:

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$200,000*; and the Senate agree to the same.

Amendment numbered 129:

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$210,000*; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$29,204,000*; and the Senate agree to the same.

Amendment numbered 135:

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$201,500,000*; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *$60,719,000*; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following:

> *Of the funds which remain deferred as of the date of enactment of this Act pursuant to deferral D86-6A relating to the Department of Energy, "Fossil energy research and development", the Congress disapproves the deferral of all but $2,607,000. The disapproval shall be effective upon enactment into law of this Act and the amount of the deferral disapproved herein shall be made available for obligation.*

And the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following:

> *Of the funds which remain deferred as of the date of enactment of this Act pursuant to deferral D86-9A relating to the Department of Energy. "Energy conservation", the Congress disapproves the deferral of all but $6,556,000. The disapproval shall be effective upon enactment into law of this Act and the amount of the deferral disapproved herein shall be made available for obligation.*

And the Senate agree to the same.

Amendment numbered 156:

That the House recede from its disagreeement to the amendment of the Senate numbered 156, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended as follows:

In lieu of the sum named insert: *$36,000*; and the Senate agree to the same.

Amendment numbered 210:

That the House recede from its disagreeement to the amendment of the Senate numbered 210, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$1,000*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 10, 11, 15, 18, 20, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 39, 40, 42, 44, 45, 48, 50, 54, 55, 58, 59, 60, 63, 64, 66, 67, 68, 69, 70, 71, 73, 74, 77, 78, 79, 80, 81, 84, 86, 87, 88, 91, 93, 94, 95, 96, 97, 98, 99, 101, 103, 107, 108, 109, 111, 112, 113, 114, 120, 122, 125, 128, 131, 132, 133, 134, 136, 138, 140, 143, 144, 153, 154, 155, 158, 159, 160, 162, 163, 165, 166, 167, 168, 170, 171, 172, 173, 174, 175, 176, 179, 180, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 194, 198, 199, 206, 207, 208, 211, 214, 216, 218, 221, and 222.

JAMIE L. WHITTEN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
NEAL SMITH,
SIDNEY R. YATES,
DAVE OBEY,
EDWARD R. ROYBAL,
TOM BEVILL,
BILL CHAPPELL,
WILLIAM LEHMAN,
VIC FAZIO,
SILVIO O. CONTE
(except for amendment No. 23),
JOSEPH M. MCDADE,
JOHN T. MYERS,
LARRY COUGHLIN
(except for amendment No. 23),
JACK KEMP,
RALPH REGULA,
Managers on the Part of the House.
MARK O. HATFIELD,
TED STEVENS,
LOWELL P. WEICKER, Jr.,
JAMES A. MCCLURE,
JAKE GARN,
THAD COCHRAN,
MARKS ANDREWS,
JAMES ABDNOR
(except for amendment No. 224),
BOB KASTEN,
ALPHONSE D'AMATO,
WARREN B. RUDMAN,
JOHN C. STENNIS,
ROBERT C. BYRD,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
LAWTON CHILES,
J. BENNETT JOHNSTON
(except for amendment No. 223),
QUENTIN N. BURDICK,
PAT LEAHY,
DENNIS DECONCINI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4515) making urgent supplemental appropriations for the fiscal year ending September 30, 1986, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I

GENERAL SUPPLEMENTALS

CHAPTER I

DEPARTMENT OF AGRICULTURE

Amendment No. 1: Deletes chapter subheadings, as proposed by the Senate.

SOIL CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

Amendment No. 2: Appropriates $36,700,000 for watershed and flood prevention operations of the Soil Conservation Service as proposed by the Senate instead of $25,000,000 as proposed by the House.

These funds are provided to mitigate damage caused by heavy rains in the Western United States this past winter; to restore the emergency operations account of SCS; to provide $8,000,000 for West Virginia, as described in the Senate report (S. Rept. 99-301); and to provide $6,700,00 for Mississippi for watershed protection operations activities to repair prior year storm damage in Hinds, Rankin, and Madison counties as well as the emergency operations needs identified by SCS throughout Mississippi due to excessive rainfall in 1986.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

EMERGENCY CONSERVATION PROGRAM

Amendment No. 3: Appropriates $5,000,000 for the emergency conservation program of the Agricultural Stabilization and Conservation Service instead of $10,000,000 as proposed by the House. The Senate proposed to strike this provision.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

Amendment No. 4: Deletes Senate language appropriating $11,100,000 for construction of facilities of the Agricultural Research Service. The conferees agree to the House position on Amendment No. 19 which provides $11,100,000 for the citrus canker program and also provides that the Secretary must restore the money previously appropriated for the National Soil Tilth Center at Ames, Iowa.

Amendment No. 5: Deletes chapter subheadings, as proposed by the Senate.

FOOD SAFETY AND INSPECTION SERVICE

Amendment No. 6: Appropriates $3,700,000 for the Food Safety and Inspection Service as proposed by the House instead of $4,500,000 as proposed by the Senate. The conference agreement also restores the House bill language describing the purposes for which the funds are appropriated.

The conferees agree that the funds appropriated will be used to continue all operations of the Food Safety and Inspection Service for the remainder of the fiscal year.

PACKERS AND STOCKYARDS ADMINISTRATION

Amendment No. 7: Appropriates $80,000 for the Packers and Stockyards Administration as proposed by the Senate. The House bill contained no similar provision.

REPORT ON CONTAMINATED MILK AND MILK PRODUCTS

Amendment No. 8: Deletes House language, as proposed by the Senate, which provided for a study by the Department of Agriculture on the estimated losses suffered by dairy farmers and processors as a result of contaminated milk and milk products in the States of Arkansas, Missouri, and Oklahoma. The conferees agree to delete the House language since the study has already been completed by the Department of Agriculture.

DAIRY INDEMNITY PROGRAM

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate reducing the amount appropriated for the dairy indemnity program from $10,000,000 to $9,000,000. The conference agreement also provides that $1,000,000 of the total be transferred to the Animal and Plant Health Inspection Service and the Food Safety and Inspection Service for contamination testing, and the remaining funds be transferred to the Commodity Credit Corporation. In addition, the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity payments.

FARMERS HOME ADMINISTRATION

FAMILY FARM HOMESTEAD PROTECTION

Regulations published by the Farmers Home Administration regarding implementation of the "Family Farm Homestead Protection" amendment to the 1985 Farm Bill (7 U.S.C.A. 2000) would restrict availability of the homestead option to only those homestead properties in FmHA inventory in which FmHA actually initiated the foreclosure procedures, and not to those instances in which some other entity initiated the foreclosure and FmHA bought the property at auction in order to protect its own financial interest. The clear intent of Congress in adopting the homestead provisions was that any property coming into FmHA inventory should be made available to the distressed farm owner, regardless of the circumstances which brought it into inventory, except in the case of borrowers who have attempted to defraud the agency on loans by improperly disposing of security property. The conferees will expect the agency to amend its regulations to comply with the intent of Congress.

RURAL HOUSING INSURANCE FUND

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

During fiscal year 1986, and within the resources and authority available, obligations for direct loans and related advances pursuant to section 504 of the Housing Act of 1949, as amended, shall not exceed $11,335,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The effect of the conference agreement is to rescind $3,000,000 of section 504 low-income housing repair loans instead of $4,480,000 as proposed by the Senate.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SELF-HELP HOUSING LAND DEVELOPMENT FUND

For loans for acquisition and development of building sites for mutual and self-help housing, $1,000,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $1,000,000 for site loans for mutual and self-help housing instead of $1,500,000 as proposed by the Senate. The conference agreement also adds a separate paragraph heading to clarify that these loans are to be made from the self-help housing land development fund.

DISAPPROVAL OF DEFERRAL

Amendment No. 12: Provides a technical correction, as proposed by the Senate.

VERY LOW-INCOME HOUSING REPAIR GRANTS

Amendment No. 13: Appropriates $2,000,000 for very low-income housing repair grants for the elderly instead of $3,000,000 as proposed by the Senate. The House bill contained no similar provision.

Amendment No. 14: Deletes chapter subheadings, as proposed by the Senate.

FOOD AND NUTRITION SERVICE

FEEDING PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC)

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

FEEDING PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC)

For an additional amount, for the special supplemental food program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $20,000,000, to be distributed to the States under the existing fiscal year 1986 growth formula.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement restores House language appropriating $20,000,000 for the WIC program. The conferees are aware that the Department is considering a new distribution formula for the women, infants and children program but believe it would be improper to change formulas in mid-year. Therefore, the conferees direct that these funds be distributed based on the fiscal year 1986 growth formula currently in use. Additionally, due to uncertain fiscal constraints for fiscal year 1987, the conferees will expect the Department to advise States to be cautious with management of caseloads so as to preclude the possibility of States having to severely cut back participation in fiscal year 1987.

TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM

Amendment No. 16: Appropriates $2,437,000 for the temporary emergency food assistance program instead of $2,440,000 as proposed by the Senate. The conference agreement deletes Senate language which would have required that the funds be transferred from existing appropriations and that the outlay reductions resulting from such transfer equal at least $1,800,000.

Amendment No. 17: Deletes chapter subheading, as proposed by the Senate.

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

COMMODITY CREDIT CORPORATION

REIMBURSEMENT FOR NET REALIZED LOSSES

For the operations of the Commodity Credit Corporation, not to exceed $5,300,000,000 for capital restoration, to enable the Corporation to use the authority authorized by the Charter of the Corporation and other laws to carry out programs handled by the Corporation.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides $5,300,000,000 for capital restoration of the Commodity Credit Corporation as proposed by the Senate. The conference agreement also deletes Senate language which would have provided that the Commodity Credit Corporation shall use not less than $4,000,000 worth of surplus agricultural commodities to carry out a research and development program on external combustion engines. The conferees will expect the Department to carefully review this proposal and advise the House and Senate Appropriations Committees as to its findings on the merits of using CCC commodities for this purpose.

CITRUS CANKER

(TRANSFERS OF FUNDS)

Amendment No. 19: Restores House language transferring funds from the Commodity Credit Corporation to the Animal and Plant Health Inspection Service to carry out the citrus canker program, but reduces the amount provided from $14,000,000 to $11,100,000. The conference agreement also provides that funds previously transferred to the citrus canker program from funds other than the Commodity Credit Corporation shall be immediately returned to the accounts from which transferred. The effect of the conference agreement is to restore $11,100,000 to the buildings and facilities account of the Agricultural Research Service for the construction of the National Soil Tilth Center at Ames, Iowa. The conferees concur in Senate report language regarding funds previously transferred to the citrus canker program.

COOPERATIVE STATE RESEARCH SERVICE

(TRANSFER OF FUNDS)

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

COOPERATIVE STATE RESEARCH SERVICE

(TRANSFER OF FUNDS)

The Secretary of Agriculture shall transfer $5,000,000 from the Commodity Credit Corporation to the Cooperative State Research Service to meet the matching funds requirement for development of an international trade center at Oklahoma State University.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement restores House language providing for a transfer of $5,000,000 from the Commodity Credit Corporation to the Cooperative State Research Service to meet the matching funds requirement for development of an international trade center at Oklahoma State University. The agreement also makes a technical correction to the House language by deleting several words that were unnecessary to the transfer of the funds.

AVIAN INFLUENZA

(TRANSFER OF FUNDS)

Amendment No. 21: Provides for the use of not to exceed $5,000,000 for the avian influenza program from the Commodity Credit Corporation instead of $10,000,000 as proposed by the House.

DEFICIENCY PAYMENTS

Amendment No. 22: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

DEFICIENCY PAYMENTS

(a) Effective only for the 1986 crop of wheat, feed grains, upland cotton, and rice, notwithstanding any other provision of law, the Secretary of Agriculture shall make deficiency payments to producers on a farm under section 107D(c)(1), 105C(c)(1), 103A(c)(1), or 101A(c)(1) of the Agricultural Act of 1949 (7 U.S.C. 1445b-3(c)(1), 1444e(c)(1), 1444-1(c)(1), or 1441-1(c)(1)), as the case may be, if the Secretary determines that—

(1) the producers on a farm are prevented from planting any portion of the acreage intended for a commodity to the commodity or other nonconserving crops because of flood, heavy rains, excessive moisture, or drought; and

(2) the farm is located in an area that the Secretary determines has been substantially affected by a natural disaster in the United States or by a major disaster or emergency designat-

ed by the President under the Disaster Relief Act of 1974 (42 U.S.C. 5121 et seq.).

(b) The amount of deficiency payments under subsection (a) shall be computed by multiplying—

(1) 40 percent of the projected payment rate; by

(2) the number of acres so affected but not to exceed the acreage planted to the commodity for harvest (including any acreage that the producers were prevented from planting to the commodity or other nonconserving crops in lieu of the commodity because of flood, heavy rains, excessive mositure, or drought) in the immediately preceding year; by

(3) the farm program payment yield established for the crop for the farm.

(c) Such sums shall be deducted from crop insurance indemnity payments due as a result of such disaster.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adopts the Senate language providing that individuals who receive advance deficiency payments but are prevented from planting their crops because of flood, heavy rains, or excessive moisture may keep their advance deficiency payments. The conference agreement modifies the Senate language to expand the coverage to those who were prevented from planting because of drought. The conference agreement further provides that such sums provided shall be deducted from crop insurance indemnity payments due to producers as a result of such disaster.

The conferees will expect the Department to provide a full and complete report on this provision, including number of producers covered, types of disasters, availability of crop insurance, and payments refunded because of insurance coverage.

PREPAYMENT OF LOANS BY RURAL ELECTRIFICATION AND TELEPHONE SYSTEMS

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

PREPAYMENT OF LOANS BY RURAL ELECTRIFICATION AND TELEPHONE SYSTEMS

In the case of a borrower of a loan made by the Federal Financing Bank, and guaranteed by the Administrator of the Rural Electrification Administration, under section 306 of the Rural Electrification Act of 1936 (7 U.S.C. 936) that is outstanding on the date of enactment of this Act, the borrower may prepay the loan by payment of the outstanding principal balance due on the loan using private capital with the existing loan guarantee. No sums in addition to payment of such balance shall be charged as the result of such prepayment against the borrower, the Rural Electrification and Tele-

phone Revolving Fund established under section 301 of such Act (7 U.S.C. 931), or the Rural Electrification Administration. To qualify for prepayment, a borrower shall certify that such prepayment will result in substantial savings to its customers or lessen the threat of bankruptcy of the borrower: Provided, That any regulations under this provision shall be issued and become effective within 30 days of enactment of this Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement adopts the Senate language providing that borrowers of a loan made by the Federal Financing Bank and guaranteed by the Administrator of the Rural Electrification Administration may prepay their loans without prepayment penalty. The conference agreement modifies the Senate language by providing that in order to qualify for prepayment a borrower shall certify that such prepayment will result in substantial savings to its customers or lessen the threat of bankruptcy of the borrower.

New REA guarantees for refinanced loans will continue to be backed by the "full faith and credit of the United States" and would guarantee repayment of principal and interest when due, as are the existing guarantees.

The conference agreement in no way alters existing eligibility for REA loans.

EXCLUSION OF PERMAFROST SOILS FROM DEFINITION OF "WETLAND"

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing that the definition of "wetland" shall not include lands in Alaska identified as having high potential for agricultural development which have a predominance of permafrost soils.

ELDERLY FEEDING PROGRAM

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

ELDERLY FEEDING PROGRAM

For an additional amount for reimbursement at a level of 56.76 cents per meal during fiscal year 1985 and 1986, determined under section 311(a)(4) of the Older American Act of 1965 (42 U.S.C. 3030a(a)(4)), for meals served under section 311 of such Act in such fiscal years, $8,500,000, to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides an appropriation of $8,500,000 for the elderly feeding program and sets the reimbursement at a level of 56.76 cents per meal during fiscal years 1985 and 1986. The conference agreement deletes the language which provided that the $8,500,000 be derived by transfer from funds previously appropriated and that such transfer shall reduce outlays by at least $8,000,000 during fiscal year 1986.

CHAPTER II

DEPARTMENT OF COMMERCE

Economic Development Administration

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Amendment No. 26: Restores the word "Including" to the heading as proposed by the House and stricken by the Senate.

Amendment No. 27: Restores language proposed by the House and stricken by the Senate which earmarks certain funds available under this head in Pubic Law 99-180 for obligation to supplement funds allocated pursuant to section 108(a)(2) and section 108(a)(5) of Public Law 99-190.

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Upon the request of the Pike Place Market Preservation and Development Authority, Seattle, Washington, the Secretary of Commerce shall authorize the sale or lease to any person of the Fairley Group Building (project numbers 07-01-01890, as modified by 07-01-01890.01 and 07-11-02606) located in the Pike Place Market, King County, Washington, without affecting the Federal assistance provided under the Public Works and Economic Development Act of 1965, if the transfer documents provide for the continued use of the Fairley Group Building as a public market during the expected useful life of the building: Provided, That the provisions of 13 CFR 314.4 and OMB Circular A-102 Attachment N are hereby waived so long as the Fairley Group Building remains in the control of the public authority and is used as a public market during the expected useful life of the building.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

EDA REVOLVING LOAN FUND PROJECTS

With regard to the language in the Conference Report for fiscal year 1986 (House Report 99-414) referring to EDA's Revolving Loan Fund (RLF) projects, the conferees have no objection to such funds being distributed to previous RLF recipients in those cases where there has been successful performance of those awards, but preference should be given to first-time recipients of such assistance.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $10,822,000 to remain available until expended, to maintain public warning and forecast services and aircraft services.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a heading.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $2,600,000 for the United States Marshals Service.

SUPPORT OF UNITED STATES PRISONERS

Amendment No. 32: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $3,000,000 for support of United States prisoners in non-Federal institutions.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts two headings.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $10,000,000 to remain available until expended, for relocation of the FBI's Washington field office and rescinds funds made available for this purpose in Public Law 98-166 and Public Law 99-88.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which increases the limitation in Public Law 99-180 by $1,000,000 on receipts credited to the FBI's Salaries and Expenses appropriation from fees collected to process fingerprint identification records for noncriminal employment and licensing purposes.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $3,000,000 for the Immigration and Naturalization Service.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

Amendment No. 37: Appropriates $18,000,000 as proposed by the Senate instead of $15,500,000 as proposed by the House.

NATIONAL INSTITUTE OF CORRECTIONS

(RESCISSION)

Amendment No. 38: Deletes a rescission of $3,315,000 for the National Institute of Corrections proposed by the Senate. The House bill contained no provision on this matter.

ADMINISTRATIVE PROVISIONS

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a heading.

Amendment No. 40: Reported in technical disagreement. The Managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

Of the funds appropriated to the Department of Justice in Public Law 99-180, not to exceed $150,000 from "Fees and Expenses of Witnesses", not to exceed $150,000 from "Salaries and Expenses, Antitrust Division", not to exceed $100,000 from Emergency Assistance in "Office of Justice Programs, Justice Assistance", and not to exceed $100,000 from the Public Safety Officers' Benefits Program in "Office of Justice Programs, Justice Assistance", may be transferred to "Salaries and Expenses, General Legal Activities" to pay expenses related to the activities of any Independent Counsel appointed pursuant to 28 U.S.C. 591, et. seq.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 41: Deletes language proposed by the Senate which provided that not more than $90,000 of the funds appropriated to the Department of Justice under "General Administration, Salaries and Expenses" for fiscal year 1985 in Pubic Law 99-180 would be available for travel by the Attorney General.

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

NATIONAL ASSISTANCE PLAN TO HALT ROCK AND CRACK COCAINE TRAFFICKING

The Attorney General as Chairman of the National Drug Enforcement Policy Board is directed to convene the Board to address on an emergency basis the crisis phenomenon that cocaine freebase, "rock" and "crack" cocaine, have caused in communities throughout the nation.

Within 60 days of enactment, the Board is directed to report to the Congress and to develop and implement a national plan of assistance to state and local governments to halt trafficking in rock and crack cocaine; to promote effective law enforcement efforts to identify, investigate, prosecute and incarcerate perpetrators engaged in enterprises involving rock and crack cocaine; and, to foster public understanding of the dangerous effects of this substance on public health and safety.

This plan of assistance shall concentrate on methods of using existing laws in such areas as conspiracy, aiding and abetting, forfeiture, possession and trafficking to address this drug with its special potency and distribution characteristics, including the use of rock or freebase houses where the cocaine freebase is processed, distributed, and smoked. The Board's plan should also address those areas where existing law should be amended to strengthen enforcement and prosecution against rock and crack cocaine.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment revises language of the Senate Amendment which would have directed the Attorney General to develop a Model State Statute to prohibit the establishment and use of freebase houses. The substitute language agreed to by the conferees directs the National Drug Enforcement Policy Board to develop a national plan to assist state and local law enforcement agencies in dealing with the threat posed by the spreading use of "rock" and "crack" cocaine.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

SALARIES AND EXPENSES

Amendment No. 43: Deletes a heading proposed by the House and stricken by the Senate.

Amendment No. 44: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *$283,104,000), to remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides the following allowances for the components of the diplomatic security initiative:

[Amounts in thousands]

Item	Position	Amount
1. Residential Security	64	$89,248
2. Perimeter Security		68,030
3. Administration of Overseas Guards	27	10,491
4. Protection of Foreign Dignitaries	126	8,000
5. Security Training and Professionalism	97	12,000
6. Communications Security	58	32,804
7. Information Systems	53	29,899
8. Replacement of FSN's		12,000
9. Other Security Support	80	12,210
10. Technical Security	31	10,132
Subtotal	536	284,814
Undistributed reduction associated with positions		−1,710
Total		283,104

The conferees are agreed that Department of State should submit a reprogramming request to the House and Senate Appropriations Committees in accordance with said Committees' reprogramming procedures contained in Public Law 99-180 before obligating any of the funds included in the conference agreement for the alternate ADP facility.

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

Provided, That $222,104,000 of this amount shall become available for obligation on September 30, 1986

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

Amendment No. 46: Deletes a heading proposed by the House and stricken by the Senate.

Amendment No. 47: Appropriates $409,000,000 instead of $454,532,000 as proposed by the House and $372,125,000 as proposed by the Senate.

The conference agreement provides 133 positions and $4,000,000 for project support.

The funds provided by the conference agreement are available for construction projects as identified in the House Report to the extent available and on a priority basis subject to the reprogramming procedures contained in Public Law 99-180.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which deletes House language making the funds for Acquisition and Maintenance of Buildings Abroad in Amendment No. 47 available by transfer from the Department of Defense or certain foreign assistance programs, and inserts Senate language providing that such funds will become available for obligation on September 30, 1986.

COUNTERTERRORISM RESEARCH AND DEVELOPMENT

Amendment No. 49: Provides language which appropriates $10,000,000 for Counterterrorism Research and Development instead of providing such funds by transfer from the Department of Defense or certain foreign assistance programs as proposed by the House and stricken by the Senate.

GENERAL PROVISION—DIPLOMATIC SECURITY PROGRAM

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

GENERAL PROVISION—DIPLOMATIC SECURITY PROGRAM

The funds made available by this chapter to the Department of State under the headings "Salaries and Expenses", "Acquisition and Maintenance of Buildings Abroad", and "Counterterrorism Research and Development" shall not be used for any purpose inconsistent with or contrary to authorizing legislation for the Diplomatic Security Program as enacted into law.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES OF SUPPORTING PERSONNEL

Amendment No. 51: Deletes a heading proposed by the House and stricken by the Senate.

Amendment No. 52: Appropriates $1,200,000 as proposed by the Senate instead of $13,200,000 of which $2,000,000 was to be derived by transfer from "Salaries of Judges" and of which $10,000,000 was to be derived by transfer from "Expenses of Operation and Maintenance of the Courts" as proposed by the House.

STUDY OF CONSTRUCTION OF OFFICE BUILDING

Amendment No. 53: Appropriates $1,300,000 as proposed by the Senate instead of $2,000,000 as proposed by the House.

ADMINISTRATIVE PROVISION

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

ADMINISTRATION PROVISION

Of the funds made available in title IV of Public Law 99-180, not to exceed $8,000,000 from "Expenses of Operation and Maintenance of the Courts" may be transferred to "Salaries of Supporting Personnel" and not to exceed $500,000 from "Expenses of Operation and Maintenance of the Courts" and not to exceed $2,500,000 from "Salaries of Judges" may be transferred to "Space and Facilities".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 55: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which adds language waiving certain provisions of the Bankruptcy Amendments and Federal Judgeship Act of 1984, to permit part-time bankruptcy judges in the district of Oregon, the western district of Michigan and the eastern district of Oklahoma to continue to serve until December 31, 1986, or until such time as full-time bankruptcy judges for these districts are appointed, whichever is earlier.

RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

(DISAPPROVAL OF DEFERRAL)

Amendment No. 56: Inserts language proposed by the Senate which disapproves the proposed deferral D86-53 as set forth in the message of February 5, 1986, as revised by D86-53A as set forth in the message of March 20, 1986, instead of language proposed by the House and stricken by the Senate which would have disapproved only the proposed deferral D86-53 as set forth in the message of February 5, 1986.

BOARD FOR INTERNATIONAL BROADCASTING

GRANTS AND EXPENSES

Amendment No. 57: Appropriates $18,800,000 as proposed by the Senate instead of $14,500,000 as proposed by the House.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the Hosue will offer a motion to recede and concur in the amendment of the Senate which adds language providing that notwithstanding certain provisions of Public Law 99-88 and the Board for International Broadcasting Act of 1973, amounts placed in reserve or which would have been placed in reserve in fiscal year 1985 shall be available to the Board for grants to Radio Free Europe/Radio Liberty.

FEDERAL COMMUNICATIONS COMMISSION

The conferees have not included the language contained in Senate Report 99-301 concerning the proposal of the Federal Communications Commission to allocate spectrum in General Docket No. 84-1231 through a system of random selection. The conferees believe the language of the Senate is correct, but do not feel there is a need to address this issue in this conference report. The conferees urge the Commission to resolve the pending request for spectrum in General Docket No. 84-1231 as expeditiously as possible.

SMALL BUSINESS ADMINISTRATION

ADMINISTRATIVE PROVISION

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

ADMINISTRATIVE PROVISION

Section 18006(b) of the Consolidated Omnibus Budget Reconciliation Act of 1985 is amended by striking out "declared before October 1, 1985" and inserting in lieu thereof "which occurred prior to October 1, 1985, and with respect to which a disaster declaration application was submitted prior to October 1, 1985".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

UNITED STATES INFORMATION AGENCY

SALARIES AND EXPENSES

(TRANSFER OF FUNDS)

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $3,900,000 for "Salaries and Expenses" to be derived by transfer from "Acquisition and Construction of Radio Facilities" and adds language increasing the limitation in Public Law 99-180 by $175,000 on receipts credited to "Salaries and Expenses" from fees from English-teaching programs.

CHAPTER III

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, MARINE CORPS

Amendment No. 61: Inserts center headings as proposed by the Senate.

Amendment No. 62: Inserts a center heading as proposed by the Senate.

Amendment No. 63: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate which amends the Department of Defense Appropriations Act, 1986 to lower the minimum floor for real property maintenance expenditures for the Marine Corps from $238,000,000 to $223,200,000.

OPERATION AND MAINTENANCE, AIR FORCE

Leased C-21 Aircraft—The conferees agree to the Senate report language concerning the possible early buy of leased C-21 aircraft if sufficient savings can be demonstrated. The conferees further agree that the Air Force should provide the same opportunity for early purchase of leased C-12 aircraft as well, as long as a similar level of savings can be achieved. The Air Force is encouraged to submit reprogramming requests as soon as possible to effect early buyout of these leased aircraft, as long as early purchase would save at least ten percent over current total program estimates (procurement and operations). Acquisition of C-21A aircraft should cost no more than $176,000,000, while acquisition of C-12's should not exceed $48,000,000. The conferees consider these amounts to be achievable. However, the conferees agree that if additional amounts are necessary a reprogramming action would be considered by the Appropriations Committees.

TENTH INTERNATIONAL PAN AMERICAN GAMES

(INCLUDING RESCISSION)

Amendment No 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $8,000,000 to remain available for obligation until September 30, 1987 for the Tenth International Pan American Games. The Senate amendment also rescinds $8,000,000 made available for this same purpose in the Department of Defense Appropriations Act, 1986.

PROCUREMENT

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

(RESCISSION)

Amendment No. 65: Inserts a center heading as proposed by the Senate.

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which rescinds $34,400,000 from the Procurement of Weapons and Tracked Combat Vehicles, Army account. These funds would provide part of the necessary outlay offsets to allow for additional Philippines assistance.

SHIPBUILDING AND CONVERSION, NAVY

(RESCISSION)

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate which rescinds $40,100,000 from the Shipbuilding and Conversion, Navy account. These funds would provide part of the necessary outlay offsets to allow for additional Philippines assistance.

COASTAL DEFENSE AUGMENTATION

(TRANSFER OF FUNDS)

Amendment No. 68: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which transfers $21,250,000 to the Coast Guard acquisition, construction, and improvements account for priority Coast Guard capital projects.

AIRCRAFT PROCUREMENT, AIR FORCE

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which changes the date for completion of the air defense aircraft competition from July 1, 1986 to November 1, 1986.

The conferees agree to the Senate language which extends the legislative requirement for completion of the air defense aircraft competition to November 1, 1986. Also, the conferees agree to section 5 of amendment number 84 to remove the specific earmarking of $200,000,000 for this purpose as contained in Public Law 99-190. This action will allow the Air Force more time to evaluate contractor bids, but an expeditious pace for evaluation is encouraged. The $200,000,000 appropriated remains available to award a contract to the winner of the competition. The Air Force must submit a formal reprogramming if these funds are proposed to be used for any purpose other than the air defense aircraft competition, should contractor bids not meet Air Force requirements. Nothing in these actions precludes the Congress from considering the merit or affordability of the air defense aircraft requirement in subsequent legislation.

T-46A

The disposition of fiscal year 1986 T-46A procurement funds was addressed in the Senate version of the Military Retirement Reform bill (H.R. 4420). The conferees understand that such funds are to be withheld from obligation during the current fiscal year. This issue is to be addressed further by the conferees on the Military Retirement Reform Act.

MISSILE PROCUREMENT, AIR FORCE

(TRANSFER OF FUNDS)

Amendment No. 70: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which transfers $345,400,000 to the Missile Procurement, Air Force account to initiate the Department of Defense Space Recovery Program. The funds will be used for engineering support, hardware, modifications for integrating payloads onto expendable launch vehicles, storage of existing payloads and expansion of the Eastern Space and Missile Center. Of that total, $16,000,000 will be used to fund a special classified program.

Amendments numbered 73, 78, 79 and 84 are also related to the Department of Defense Space Recovery Program.

The Senate included report language urging the maintenance of an oversight role by the Air Force in the production, assembly and launch process of the Titan 34D7 missile. This language was not contained in the House report. The conferees agree and direct the Air Force to establish and maintain an active oversight of the acceptance and assembly process for expendable launch vehicles, so that uncompromised quality is assured. This is in agreement with and in support of the findings and recommendations of the Rogers Commission report.

Section 4 of the Senate's Administrative Provisions (amendment number 79) provides that $561,900,000 of the funds made available by Section 8103 of the 1986 Department of Defense Appropriations Act would be made available for the "Complementary Expendable Launch Vehicle Program". The conferees agree to the above amount, which shall be used for the Department of Defense Space Recovery Program.

Section 4 of Chapter IIIA (amendment number 84) which provides for the authorization for obligation of certain unobligated funds, allows that $1,498,686,000 may be obligated and expended for the Department of Defense Space Recovery Program.

The conferees further agree that the term "Department of Defense Space Recovery Program" used in lieu of "Complementary Expendable Launch Vehicle Program" and "Expendable Launch Vehicle Program" is not intended to expand the scope of the program as described in Senate Report 99-301.

OTHER PROCUREMENT, AIR FORCE

(RESCISSION)

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which rescinds $40,000,000 from the Other Procurement, Air Force account. These funds would provide part of the necessary outlay offsets to allow for additional Philippines assistance.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(TRANSFER OF FUNDS)

Amendment No. 72: Inserts center headings as proposed by the Senate.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which transfers

$316,886,000 to the Research, Development, Test and Evaluation, Air Force account to initiate an expanded program for the Department of Defense Space Recovery Program. The funds will be used to begin various research and development activities relating to space launching and related systems. Of that total, $28,000,000 will be used to fund a special classified program and $56,386,000 will be used for repair to the Vandenberg Air Force Base Titan Launch Facility.

REVOLVING AND MANAGEMENT FUNDS

ADP EQUIPMENT MANAGEMENT FUND

(INCLUDING RESCISSION)

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $100,000,000 to remain available for obligation until expended for the ADP Equipment Management Fund. The Senate amendment also rescinds $100,000,000 made available for this same purpose in the Department of Defense Appropriations Act, 1986.

ADMINISTRATIVE PROVISIONS

Amendment No. 75: Inserts a center heading as proposed by the Senate.

Amendment No. 76: Deletes the administrative provision proposed by the Senate which would have transferred funds from the Foreign Currency Fluctuations, Defense account to the American Battle Monuments Commission, Salaries and Expenses account to cover exchange rate shortfalls for the Commission.

Amendment No. 77: Section 1—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 1. Section 8051 of the Department of Defense Appropriations Act, 1986, Public Law 99–190, 99 Stat. 1211, is amended by striking out "Army, Navy, and Air Force" and by striking out the proviso and inserting in lieu thereof: "Provided, That such transfer shall not exceed $678,700,000 for Operation and Maintenance, Army; $1,301,600,000 for Operation and Maintenance, Navy; $30,100,000 for Operation and Maintenance, Marine Corps; $608,700,000 for Operation and Maintenance, Air Force; $24,300,000 for Operation and Maintenance, Defense Agencies; $19,300,000 for Operation and Maintenance, Army Reserve; $47,600,000 for Operation and Maintenance, Navy Reserve; $4,200,000 for Operation and Maintenance, Marine Corps Reserve; $14,400,000 for Operation and Maintenance, Air Force Reserve; $42,100,00 for Operation and Maintenance, Army National Guard; and $35,400,000 for Operation and Maintenance, Air National Guard".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to the Senate provision with an amendment to transfer $24,300,000 for "Operation and Maintenance, Defense Agencies". The Senate had included a transfer of $82,000,000 to "Operation and Maintenance, Defense Agencies". Of the amount agreed to, $14,000,000 applies to the Defense Logistics Agency and $10,300,000 applies to the Defense Mapping Agency and may be used only for payment of mapping and charting costs to the National Oceanic and Atmospheric Administration as directed in Senate Report 99-301.

Amendment No. 78: Section 2—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of "Sec. 3" named in said amendment, insert the following:

Sec. 2

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides multiyear contract authority for the Titan 34D7 Complementary Expendable Launch Vehicle program.

Amendment No. 79: Section 3—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

Sec. 3. Section 8103 of the fiscal year 1986 Department of Defense Appropriations Act, Public Law 99-190, is amended as follows: in subsection (b) insert "the Department of Defense Space Recovery Program, the Civilian Health and Medical Program of the Uniformed Services," directly following "and the Coastal Defense Augmentation account,"; and insert a new provision at the end of subsection (b) before the period, as follows, ": Provided further, That $260,000,000 for the Civilian Health and Medical Program of the Uniformed Services shall be available without notification procedures otherwise required by this subsection".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment amends section 8103 of the Department of Defense Appropriations Act, 1986 to redirect funds made available in that section to the Department of Defense Space Recovery Program and the Civilian Health and Medical Program of the Uniformed Services and to allow the immediate availability of the $260,000,000 provided for the Civilian Health and Medical Program of the Uniformed Services.

Amendment No. 80: Section 4—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

Sec. 4. Of the amounts available to the Department of Defense, not to exceed $5,000,000 shall be available for such claims arising from property losses caused by the explosion of Army munitions *near Checotah, Oklahoma, on August 4, 1985, and claims determined by the Department to be bona fide shall be paid from the funds made available by this section.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 81: Section 5—Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of "Sec. 6" named in said amendment, insert the following:

Sec. 5

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides that of the appropriations available to the Department of the Army during fiscal year 1986, an additional $3,000,000 and ammunition as necessary may be used to conduct the 1986 National Matches at Camp Perry, Ohio.

Historically, the direct appropriation for the Civilian Marskmanship Program, entitled "National Board for the Promotion of Rifle Practice, Army", has been less than $1,000,000. In addition, however, several other Army appropriation accounts have supplemented the resources of the Civilian Marksmanship Program (CMP). These additional resources have averaged $3,000,000 in recent years. Most of the additional funding has been in support of the National Match Competition held annually at Camp Perry, Ohio. Types of support provided by other accounts include the following: ammunition, pay and allowances for civilian and military reserve personnel, travel and transportation, depot services for storage, shipping and receiving of firearms, food services, vehicle and equipment rental, fuel, medical supplies, laundry and printing. The cost of reserve personnel performing active duty training at Camp Perry during the National Matches is considered incident to their required training and would be incurred even if the matches were not held. However, many of the expenditures from other appropriation accounts are primarily in support of the Civilian Marksmanship Program.

A recent opinion of the Army's General Counsel has determined that support for the Civilian Marksmanship Program from other accounts is improper and that all expenses directly attributable to the CMP should be charged to CMP's specific appropriation. The effect of the Army's budgeting and accounting in connection with the National Matches has not reflected the federal government's total cost to support the Civilian Marksmanship Program. The action of the conferees on this amendment provides the Army with specific authority to use other appropriation accounts in support of the National Matches for 1986. However, the conferees expect that in the future, all costs associated with the Civilian Marksmanship Program (with the exception of those costs for reserve personnel active duty training) will be budgeted and funded through the National Board for the Promotion of Rifle Practice, Army appropriation account. The Department of the Army is directed to identify all amounts in other accounts in the fiscal year 1987 budget request devoted to the Civilian Marksmanship Program and provide this information to the Committees on Appropriations of the House of Representatives and Senate as soon as practicable.

Amendment No. 82: Deletes the administrative provision proposed by the Senate which would have extended from June 30, 1986 to August 15, 1986, the period during which obligations from the Department of Defense military personnel accounts may exceed the rates established in law for such accounts.

Amendment No. 83: Deletes the administrative provision proposed by the Senate which would have rescinded $24,600,000 for university research projects at two universities.

CHAPTER IIIA

AUTHORIZATION OF CERTAIN UNAUTHORIZED APPROPRIATIONS

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert the following:

CHAPTER IIIA

AUTHORIZATION OF CERTAIN UNAUTHORIZED APPROPRIATIONS

Sec. 1. Authorization of Certain Unauthorized Fiscal Year 1986 Appropriations.

Notwithstanding section 8109 of the Department of Defense Appropriations Act, 1986 (Public Law 99-190) and except as otherwise provided in this chapter, funds appropriated or otherwise made available to or for the use of the Department of Defense by the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190), and which were not otherwise authorized by law, are authorized to be obligated and expended as provided in such Act.

Sec. 2. Unauthorized Appropriations.

The following programs and amounts provided in the Department of Defense Appropriations Act, 1986 (Public Law 99-190) are not authorized to be obligated or expended:

Research and Development: Air Force Space Defense System, $15,066,000. Air Force MEECN communications upgrade, $15,000,000.

Operation and Maintenance: Audit/inventory report reductions not taken in the appropriations act, $29,000,000.

Sec. 3. Prohibition and Limitation on Obligation of Funds for Certain Purposes.

MARINER FUND.—Of the funds appropriated or made available by the Department of Defense Appropriations Act, 1986, none shall be available for construction of commercial type vessels, with or without military specifications, for lease to private shipping concerns under the Mariner Fund or any other program.

Sec. 4. Authorization for Obligation of Certain Unobligated Funds.

Of the funds appropriated by the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190), but which may not be obligated or expended for the purposes for which appropriated by virtue of section 3 of this chapter, and of the funds made available for obligation and expenditure from prior year unobligated balances by section 8103 of the Department of Defense Appropriations Act, 1986, the following amounts are authorized to be obligated and expended for the stated purposes and are subject to the same notification procedures set forth in section 8103 of the Department of Defense Appropriations Act, 1986, except for the Civilian Health and Medical Program of the Uniformed Services:

(1) for military pay, $1,599,400,000;

(2) for military retirement accrual payments, $2,156,000,000;

(3) for Coastal Defense Augmentation, $140,000,000;

(4) for the Department of Defense Space Recovery Program, $1,498,686,000;

(5) for the Civilian Health and Medical Program of the Uniformed Services, $260,000,000; and

(6) Any amounts remaining available from such funds are authorized to be obligated and expended and are available for readiness and for other purposes, including funds authorized for obligation and expenditure for purposes listed in clauses (1), (2), (3), (4), and (5) not otherwise required for such purposes.

Sec. 5. Revision of Certain Provisions of Public Law 99-190.

(a) Air Defense Aircraft Competition.—The paragraph under the heading "Aircraft Procurement, Air Force" in title III of the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190), is amended by striking out ", of which $200,000,000 shall be available only to initiate the air defense aircraft competition authorized by law" in the matter preceding the first proviso;

(b) Revision of Drug Interdiction Funds.—Of funds made available in the Department of Defense Appropriations Act, 1986, Public Law 99-190, $35,000,000 made available for purchase of one AC-130H aircraft and $3,000,000 made available for P-3 aircraft modifications shall be available only for the following purposes:

(1) for HC-130 tanker, $18,500,000;

(2) for Aerostat radar, $12,000,000; and

(3) for APS-138 radar system, $7,500,000;

(c) 120mm Mortar.—Of the funds appropriated in the Department of Defense Appropriations Act, 1986, for procurement of the 120mm mortar, obligations and expenditures may be incurred only in accordance with the requirements set forth in House Report 99-235 and Section 8095 of the Department of Defense Appropriations Act, 1986 (as contained in section 101(b) of Public Law 99-190); and

(d) M72E4 Lightweight Multipurpose Weapon.—From the funds appropriated in the Department of Defense Appropriations Act, 1986, the Army shall complete development and operational testing of the M72E4, type classify the weapon, and acquire a technical data package.

Sec. 6. Temporary Waiver on Polygraph Examination Limitations.

In computing the number of counterintelligence polygraph examinations that may be conducted during fiscal year 1986 under section 1221 of the Department of Defense Authorization Act, 1986 (Public Law 99-145; 99 Stat. 726), there may be excluded from such computation any polygraph examination conducted during the period beginning on the date of the enactment of this Act and ending on September 30, 1986, if such examination—

(1) is conducted by the Air Force under an authorization granted by the Secretary of Defense on November 24, 1981; or

(2) is conducted under an authorization granted by the Secretary of Defense on August 31, 1982, and is conducted on a person who is participating in a national program—

(A) which has as its purpose the collection of specialized intelligence through reconnaissance;

(B) which is under the purview of the Director of Central Intelligence; and

(C) for which a polygraph examination was established on or before October 1, 1985, as a condition for participation in such program.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

AUTHORIZATION AND TRANSFER OF CERTAIN UNAUTHORIZED APPROPRIATIONS

Although the total appropriated for defense in fiscal year 1986 was substantially less than the total amount authorized, a number of appropriation accounts and several line items contained appropriations in excess of the amounts authorized. To address these differences, the Fiscal Year 1986 Defense Appropriations Act included a provision, offered in the Senate, to require subsequent authorization for certain appropriated funds. Section 8109 of the Fiscal Year 1986 Defense Appropriations Act (Public Law 99-190), was designed to accomplish this objective. Since its enactment, the interpretations of Section 8109 have varied widely, ranging from application to the statutory account levels to the various line items in the respective reports accompanying the fiscal year 1986 authorization and appropriation acts.

The conference action on amendment number 84 reflects agreement on authorization for all excess appropriations and provides for the transfer of certain appropriated funds to higher priority programs reflected in the supplemental appropriations act. The conferees agree that this language is not intended to reflect a consensus on the scope and application of authorization required for appropriations. Rather, it seeks only to achieve a resolution to the fiscal year 1986 authorized appropriations issues. The recommendations contained in this act are based on a thorough review by the House and Senate Committees on Appropriations and Armed Services of all disputed, unauthorized appropriations by taking into account the most recent available information on defense expenditures, program priorities and fiscal realities. The effect of these adjustments is neutral on the national defense function totals for budget authority and outlays. All funds contained in Public Law 99-190 were in compliance with budget resolution ceilings.

NAVAL RESERVE ON-BOARD TRAINER

The conferees agree that $6,800,000 is authorized to be obligated and expended as provided in the Department of Defense Appropriations Act, 1986 (P.L. 99-190) to procure three shipboard antisubmarine warfare training systems service test models of a modification to the AN/SQR-17A to provide onboard training capability for Naval Reserve Force ships.

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES COST OVERRUNS

The conferees agree to earmark $260,000,000 of prior year unobligated funds specified under Section 8103 of the 1986 Department of Defense Appropriations Act for maintaining operation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS). By providing this funding, the conferees eliminate the necessity of the CHAMPUS reprogramming (FY 86-32PA) currently before the Committees.

The $260,000,000 is necessary due to an increase in both workload, defined as non-availability statements issued by the Services, and costs. For the first six months of fiscal year 1986 CHAMPUS has experienced a total 19.3 percent increase over the like period in 1985 in the number of non-availability statements issued by the Services. The greatest increase by service appears in the Navy, which increased its issuance of non-availability by 47 percent. The greatest increase by region appears in the Southeast, where non-availability statements increased 62 percent for January through March of fiscal year 1986 when compared to a like period in fiscal year 1985.

The conferees have been advised that $260,000,000 may not be enough to cover CHAMPUS costs through the end of fiscal year 1986. The Department should take management actions to contain costs. However, should additional funds be required, they should first be derived through offsets in Operation and Maintenance appropriations. Audit report reductions totaling $29,000,000 specified by the fiscal year 1986 Defense Authorization Act shall be reserved for potential further CHAMPUS costs as follows:

	Millions
AAFEES lease payments, Army	$1
Design costs of NAF projects, Army	1
Inventory control, Army	5
Small clubs, Navy	1
Inventory control audit, Air Force	10
Golf courses, Air Force	5
Small clubs, Defense Agencies	1
Inventory control, Defense Agencies	5

While the conferees provide this funding to ensure CHAMPUS claims will be paid, the Department leaves Congress with little choice but to consider changes in the way the medical programs are funded in fiscal year 1987. Difficult, but necessary modifications may include revising CHAMPUS budgeting mechanisms; revising copayment fees and the establishment of diagnostic related groups as the basis for funding medical programs.

DRUG INTERDICTION

The conferees agrees that $38,000,000 of previously appropriated funds are authorized to be obligated and expended to commence the implementation of a new drug interdiction program in the Department of Defense. Specifically, the Air Force and the Navy will participate in the implementation of a new program that has been approved by the Secretary of Defense and submitted to both the Appropriations and Armed Services Committees and to the Attorney General as the Chairman of the Drug Enforcement Policy Board in April. The funding approved for obligation in the conference report will allow for the initiation of important elements of this plan.

The conferees specifically approve the use of funds previously appropriated in Public Law 99-190 for the following elements of the new drug interdiction plan at DoD:

$18,500,000 for the procurement of one HC-130 tanker aircraft. This aircraft will replace any existing HC-130 aircraft that will be modified with F-15 radar for drug interdiction purposes;

$12,000,000 for the procurement of one aerostat radar surveillance system to be located in the Bahamas for drug interdiction and national security purposes;

$7,500,000 for the procurement of one APS-138, 360-degree radar system to be installed on a Navy aircraft for drug interdiction purposes and turned over to the U.S. Customs Service.

The conferees urge the Department of Defense to reprogram out of otherwise available unobligated funds, sufficient funds to procure two C-130 aircraft for use by the Commander-in-Chief of the Southern Command. These aircraft will serve both a national security and drug interdiction function for the Department of Defense.

The conferees anticipate favorable disposition of the Secretary of Defense's approved plan by the Drug Enforcement Policy Board in the very near future, confirming the need for this important drug interdiction program. The conferees also note that the President of the United States has recently signed a National Security Decision Directive (NSDD) that would, among other things, bring the military into the drug interdiction effort and put drug enforcement as a top national security matter. The conferees believe that the plan, as approved by the Secretary and initiated in this Act, is a compromise for the Department of Defense to assist the civilian drug enforcement effort in a responsible way and within the confines of current law, including the Posse Comitatus amendments. The conferees expect the Department to act expeditiously to implement this new plan and to complete the total drug interdiction plan over the next three fiscal years.

120MM MORTAR

The conference agreement includes bill language which restates the intention and direction of Congress concerning the procurement strategy for the 120mm mortar system. This direction was included in last year's authorization and appropriation action.

LIGHTWEIGHT MULTIPURPOSE WEAPON

The conference agreement allows the Army to proceed with its progammed procurement of the AT-4 lighweight multipurpose weapon, for which $59,200,000 was appropriated in Procurement of Ammunition, Army in fiscal year 1986. The conferees recognize that this weapon is the Army's choice for a lightweight antiarmor/multipurpose weapon and there is no plan to procure any other weapon for this mission. However, the conferees believe that the Army unwisely and prematurely halted testing of the M72E4, an improved version of the current weapon which had been considered a back up to the AT-4. This was done despite instruction in the fiscal year 1986 appropriation conference report that M72E4 testing be completed and the weapon be type classified. Accordingly, the conference agreement includes bill language requiring the Army, within available funds, to complete development and operational testing, to type classify the weapon, and to acquire a technical data package. Inclusion of this provision in the law has been made necessary by the Army's disregard for last year's report language.

CHAPTER IV

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION, GENERAL

Amendment No. 85: Changes Chapter number as proposed by the Senate.

Amenment No. 86: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing that $8,200,000 of available funds be used to initiate construction of the Cooper River, South Carolina project.

FLOOD CONTROL AND COASTAL EMERGENCIES

Amendment No. 87: Reported in technical disagreement. The manager on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

For an additional amount, for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $25,000,000, to remain available until expended.

Using available funds authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, the Secretary of the

Army shall, in consultation with State officials of the Great Lakes region, develop emergency contingency plans to prevent or control near term flooding along the Great Lakes. The Secretary shall report to Congress within sixty days after the date of enactment of this Act on the contingency plans. The Secretary is authorized to spend up to $1,000,000 for the purposes of this provision.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate

ADMINISTRATIVE PROVISION

Amendment No. 88: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing that the acquisition of buildings and facilities for the U.S. Army Engineer District, Washington, provided for in Public law 99-88, may be implemented by lease purchase contract or by any other appropriate means.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(DISAPPROVAL OF DEFERRAL)

Amendment No. 89: Deletes House lauguage and inserts language proposed by the Senate disapproving deferral of $23,156,000 of the proposed deferral D86-38. The following amounts and related projects are available for obligation: Photovoltaics—$4,019,000; Wind energy—$10,240,000; Ocean energy—$1,436,000; International solar—$762,000; Electric energy systems—$1,914,000; Energy storage systems—$1,914,000; Geothermal—$2,871,000: Total—$23,156,000.

ATOMIC ENERGY DEFENSE ACTIVITIES

(TRANSFER OF FUNDS)

Amendment No. 90: Restores language stricken by the Senate transferring $62,000,000 proposed by the House for the Strategic Defense Initiative. The conferees agree that $30,000,000 of these funds shall be available for obligation in FY 1986 and $32,000,000 shall be available for obligation in FY 1987 only with the prior approval of the Committees on Appropriations of the House of Representatives and the Senate.

DEPARTMENT OF DEFENSE

ADMINISTRATIVE PROVISION

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

DEPARTMENT OF DEFENSE

ADMINISTRATION PROVISION

Of the funds previously appropriated or made available for research, development, test and evaluation for the Department of Defense for fiscal year 1986 pursuant to Public Law 99-190, $55,600,000 shall be available only for grants or contributions to educational institutions for research activities, construction of research related facilities and for other related purposes as provided in House Report 99-450 accompanying House Joint Resolution 435, Public Law, 99-190, and the Secretary of Defense shall provide these grants or contributions expeditiously: Provided, That such grants or contributions are a one time obligation and expenditure and shall not interfere with or change the existing system of other competitive research grants or contracts.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CHAPTER V

Foreign Assistance

Amendment No. 92: Inserts a new chapter heading number as proposed by the Senate.

INTERNATIONAL FUND FOR NORTHERN IRELAND AND IRELAND

(TRANSFERS OF FUNDS)

Amendment No. 93: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

INTERNATIONAL FUND FOR NORTHERN IRELAND AND IRELAND

(TRANSFERS OF FUNDS)

For an additional amount for the "Economic Support Fund", not less than $50,000,000, which shall be available only for the United States contribution to the International Fund established pursuant to the November 15, 1985 agreement between the United Kingdom and Ireland, to be derived from funds appropriated or otherwise made available by the Foreign Assistance and Related Programs Appropriations Act, 1986 (as enacted in Public Law 99-190), as follows: $4,900,000 by transfer from Title I of such Act, $12,350,000 of funds made available by such Act for the "Economic Support Fund", $9,100,000 by transfer from Title II of such Act, excluding funds made available for the "Economic Support Fund", $20,000,000 by transfer from Title III of such Act, and $3,650,000 by transfer from Title IV of such Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to provide $50,000,000 for the FY 1986 United States contribution for the International Fund for Northern Ireland and Ireland. These funds are to be provided in support of the Anglo-Irish Agreement of November 15, 1985.

The funds for the FY 1986 contribution are made available proportionately from funds in the Foreign Assistance and Related Programs Appropriations Act, 1986 (P.L. 99-100) as follows:

Title I Multi-lateral Assistance	$4,900,000
Title II Bilateral Assistance:	
Economic Support Fund	12,350,000
Other accounts	9,100,000
Title III Military Assistance	20,000,000
Title IV Export-Import Bank	3,650,000
Total	50,000,000

The conferees agree that no single account or project should disproportionately bear the burden of these transfers and no program or account is to be eliminated. Additionally it is the intent of the bill language that direct lending for the Export-Import Bank be reduced from $1,062,270,000 to $1,058,620,000 in order to provide for $3,650,000 of appropriations to the International Fund.

DEPARTMENT OF STATE

ANTITERRORISM ASSISTANCE

(TRANSFER OF FUNDS)

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides $2,739,000 for the Anti-Terrorism Assistance program, to be derived by transfer from any of the funds appropriated in the Foreign Assistance and Related Programs Appropriations Act, 1986.

ASSISTANCE FOR HAITI

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

in Title II of the Foreign Assistance and Related Programs Appropriations Act, 1986 (as enacted in Public Law 99-190), subject to the notification process of the Committees on Appropriations

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to provide to Haiti up to $21,700,000 in existing funds under Title II of the Foreign Assistance and Related Programs Appropriations Act, 1986.

The conferees agree to an amendment to the Senate language that requires that prior to the obligation of funds provided in the bill for Haiti, the Administration is to provide a fifteen day notification to the Appropriations Committees. This language was included so that the Committees would be notified on how the funds made available for Haiti were being obligated and the source of the funds to be used.

HAITI: INTER-AMERICAN FOUNDATION PROJECTS

Amendment No. 96: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *, or the equivalent amount in local currencies, may*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The provision was revised in order to assure that the Agency for International Development would make $1.7 million in local currencies in Haiti available to the Inter-American Foundation for projects in Haiti.

It is further the intent of the conferees that these funds be used in accordance with established procedures of the Inter-American Foundation for selection of projects and management of grants. Projects to be funded by these local currencies should be jointly agreed upon by the Inter-American Foundation and the Agency for International Development.

HAITI: MILITARY ASSISTANCE

Amendment No. 97: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Notwithstanding any limitations on assistance to Haiti contained in Public Law 98–473 or Public Law 99–83, funds in the amount of $750,000 previously appropriated for the purposes of chapter 2 of part II of the Foreign Assistance Act of 1961, as amended, may be made available for Haiti to carry out such purposes: Provided, That none of the funds made available pursuant to this paragraph may be made available for obligation unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance: Provided further, That the funds provided under this paragraph shall be made available only to provide nonlethal military assistance for Haiti.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to release up to $750,000 in FY 1986 Military Assistance Program funds for Haiti to be used for nonlethal purposes. Although Military Assistance Program funds were provided to Haiti in FY 1986 their use was restricted to anti-narcotic and immigration purposes. It is the intent of the conferees that in lifting these restrictions the released funds be used in accordance with the following projected list, provided by the Defense Security Assistance Agency:

FY 1986 Military Assistance for Haiti

Item	*Estimated Cost*
A. Mobility: ¾ Ton Trucks	$300,000
B. Communications:	
Base Stations	6,000
Handheld "Brick" radios and spare batteries	120,000
Truck Radios	60,000
C. Logistics: Vehicles Spare Parts	60,000
D. Medical: Ambulances	34,000
E. Individual equipment:	
Fatigue Field Uniforms	110,000
Combat Boots	60,000
Total	750,000

SPECIAL ASSISTANCE TO THE PHILIPPINES

ECONOMIC SUPPORT FUND AND MILITARY ASSISTANCE

Amendment No. 98: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SPECIAL ASSISTANCE TO THE PHILIPPINES ECONOMIC SUPPORT FUND

For an additional amount for the "Economic Support Fund", $100,000,000, to remain available until March 31, 1987: Provided, That this amount shall be available only for the Philippines: Provided further, That none of these funds may be available for obligation unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance.

MILITARY ASSISTANCE

For an additional amount for "Military Assistance", $50,000,000, to remain available until March 31, 1987: Provided, That this amount shall be available only for the Philippines: Provided further, That none of these funds may be available for obligation unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree to provide $100,000,000 in Economic Support Funds and $50,000,000 in Military Assistance to assist the new government of Corazon Aquino. Funding under both accounts has been made available until March, 1987 in order to allow sufficient opportunity for the United States to work with the new Government in the Philippines on specific program needs and priorities.

The conference agreement also requires that the Appropriations Committees be notified fifteen days in advance prior to the obligation of the supplemental funds for the Philippines. This provision was included due to the preliminary nature of the current planning under both accounts. The notification concerning the Economic Support Fund is to provide a full explanation of the obligations to take place under that account. The notification concerning the military account should indicate any changes that are being made from the following list of projected military expenditures provided by the Defense Security Assistance Agency.

Projected use of $50,000,000 supplemental funds for the new Armed Forces of the Philippines

[In thousands of dollars]

Items	*Amount*
Field Communications Spares	3,500
Aircraft Tech Assistance Program	1,000
Publications	500
Dataphone Support	1,000
Mobile Training Teams/OJT	1,000
Phil Air Defense System	2,000
Tactical Communications	6,000
Engineer Equipment	5,000
2½ Ton Trucks	12,000
Shop Vans	925
Commando V-150 Vehicles	8,500
Mortar Fire Control Equipment	400
Combat Clothing & Indiv Equip	3,000
Medical/Dental Equip	3,175
POL	2,000
Total	50,000

The conferees agree to delete the Senate provision that proposed the deobligation of $29,355,000 in Foreign Military Credit Sales for the Government of the Philippines and the reobligation of the funds as straight grant Military Assistance The conferees agree that this issue deserves further study and will be addressed further during consideration of the FY 1987 Foreign Assistance Appropriations bill.

EXPORT-IMPORT BANK OF THE UNITED STATES

Amendment No. 99: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which extends the availability of direct loan authority provided to the Export-Import Bank. The Senate amendment provides that direct loan authority made available to the Export-Import Bank in FY 1986 be available until September 30, 1987.

CHAPTER VI

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Amendment No. 100: Changes chapter number as proposed by the Senate.

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

HOUSING PROGRAMS

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSIONS)

Of the amounts of budget authority that become available during fiscal year 1986 as a result of the forgiving, pursuant to section 4(c)(1) of the United States Housing Act of 1937, as amended, of any loan made pursuant to section 4(a) of such Act, not less than $5,250,000,000 of budget authority (and such amounts of contract authority as correspond to the amounts of budget authority) are rescinded.

Of the amounts of budget authority that become available during fiscal year 1987 as a result of the forgiving, pursuant to section 4(c)(1) of the United States Housing Act of 1937, as amended, of any loan made pursuant to section 4(a) of such Act, $6,042,000,000 of budget authority (and such amounts of contract authority as correspond to the amounts of budget authority) are rescinded on or after October 1, 1986 and before September 30, 1987.

RENT SUPPLEMENT PROGRAM

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s), is reduced in fiscal year 1986 by not more than $41,390,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act (12 U.S.C. 1715z-1), is further reduced in fiscal year 1986 by not more than $10,128,000 in uncommitted balances of authorizations provided for this purpose in appropriations Acts.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

HOUSING PROGRAMS AND COMMUNITY PLANNING AND DEVELOPMENT

Amendment No. 102: Makes technical change in disapproval of deferrals language as proposed by the Senate.

This paragraph disapproves the five 1986 deferrals proposed by the President for housing and community planning and development programs. The Committee of Conference expects the Department to take steps to obligate these funds as soon as possible. With respect to annual contributions for assisted housing, the conferees direct the Department and the Office of Management and Budget to adhere to the 1986 program detailed in the following table. This table reflects the original intent of Congress as set forth in the conference agreement on the 1986 HUD–Independent Agencies Appropriations Act (Public Law 99–160), with adjustments made for Gramm-Rudman sequestration and other technical changes requested by HUD. The Department is expected to utilize the regular reprogramming procedure if any changes are required to the agreed upon program contained in the table.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING, FISCAL YEAR 1986—GROSS RESERVATIONS

	Units	Per unit cost	Contract authority	Term	Budget authority
Carryover	NA	NA	$85,061,924	NA	$918,498,386
Recaptures	NA	NA	23,490,000	NA	537,525,000
Rescission of recaptures	NA	NA	–23,490,000	NA	–537,525,000
New authority	NA	NA	838,803,547	NA	9,965,607,781
Sequestered authority	NA	NA	0	NA	–428,521,134
Total available	NA	NA	923,865,471	NA	10,455,585,033
Public housing:					
Public housing	4,803	$6,526	31,346,988	30	940,409,652
Indian housing	1,921	5,580	11,239,956	28	314,718,768
Amendments	NA	NA	7,758,621	29	225,000,000
Lease adjustments	NA	NA	19,200,000	1	19,200,000
Modernization	NA	NA	72,051,000	20	1,441,020,000
Subtotal, public housing	6,724	NA	141,596,565	NA	1,940,348,420
Section B:					
Vouchers:					
Incremental vouchers	35,449	3,769	133,607,112	5	668,035,561
Section 8 opt-outs	961	3,769	3,620,803	5	18,104,015
Public housing demolitions	2,402	3,769	9,052,007	5	45,260,037
PHA fees	NA	445	17,271,320	5	86,355,221
Subtotal	38,812	NA	163,551,243	NA	817,754,834
Section 202:					
Units	11,508	6,736	77,653,686	20	1,553,073,715
Amendments	NA	NA	11,528,160	20	230,563,200
Subtotal	11,528	NA	89,181,846	NA	1,783,636,915
Existing:					
Regular	31,203	5,066	158,074,130	15	2,371,111,949
Moderate rehabilitation	9,660	6,116	59,081,820	15	886,227,300
Total, existing	40,863	NA	217,155,950	NA	3,257,339,249
Loan management	10,000	3,604	36,040,000	5	180,200,000
Property disposition	2,800	6,769	18,952,273	15	284,284,091
Conversions—section 23	792	3,369	2,667,737	15	40,016,059
Amendments:					
New/Sub. rehab	NA	NA	2,209,564	20	44,191,280
Existing	NA	NA	95,000,000	5	475,000,000
Loan management/reserve	NA	NA	128,637,312	7	419,264,185
Property disposition	NA	NA	2,000,000	15	30,000,000
Moderate rehabilitation	NA	NA	4,000,000	10	40,000,000
Subtotal, amendments	NA	NA	231,846,876	NA	1,008,455,465
Total, section 8	104,795	NA	759,395,924	NA	7,371,686,613
Total, public housing and section 8	111,519	NA	900,992,490	NA	10,312,035,033
Section 17 development	NA	NA	NA	NA	71,775,000
Section 17 rehabilitation	NA	NA	NA	NA	71,775,000
Unutilized authority	NA	NA	22,872,981	NA	0

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING, FISCAL YEAR 1986—GROSS RESERVATIONS—Continued

	Units	Per unit cost	Contract authority	Term	Budget authority
Grand total all authority	111,519		923,865,471		10,455,585,033

Finally, the conferees direct the Office of Management and Budget and the Department to make available immediately section 108 loan guarantees in the full amount of $212,956,000 provided by the Congress for fiscal year 1986. The Administration's proposed supplemental reduction of $162,956,000 in the section 108 loan limitation has been rejected by both Houses. It is the clear and emphatic intent of Congress that these funds be made immediately available.

Amendment No. 103: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate increasing the 1986 limitation on Federal Housing Administration mortgage and loan insurance commitments by $57,580,000,000 and increasing the 1986 limitation on Government National Mortgage Association guarantees of mortgage-backed securities by $49,000,000,000.

Amendment Nos. 104 and 105: Transfers $30,000,000 to salaries and expenses of which $21,365,000 is from the various funds of the Federal Housing Administration and $8,635,000 is from the section 312 rehabilitation loan fund, instead of $23,701,000 of which $15,066,000 is from the various funds of the FHA and $8,635,000 is from the section 312 fund as proposed by the House and $30,000,000 from the various funds of the FHA as proposed by the Senate.

The Committee of Conference agrees with the Senate report that aggressive action in implementing and enforcing program reforms in the Federal Housing Administration program are both overdue and very necessary. In this connection, the conferees applaud the initiative taken by the Department of Housing and Urban Development in its Single Family Task Force Report. The Department is urged to implement its recommendations speedily.

While the conference committee believes that HUD is headed in the correct direction, it is concerned that an independent program monitoring capacity has not been established in the Department to ensure that the recommendations are carried out, and that further necessary actions are taken to prevent the recurrence of scandal. Given the role of the Office of Administration in providing leadership and staff resources for the Single Family Task Force Report, the conferees believe that Office should continue that role by establishing within itself the capacity to review and monitor the implementation of the report's recommendations. In addition, the Office of Administration should continue to study, review and monitor the single family program operations—including, but not necessarily limited to—current and future FHA mortgagee monitoring and review, the review of fee appraiser assignments and performance, and the review of HUD headquarters and field office implementation of other single family policy and procedure changes that are aimed at reducing the opportunity for fraud, waste and mismanagement.

The conferees further believe there is a need for an independent and objective review outside of the Office of Housing. This is not to say that the Office of Housing is not capable of monitoring itself. Rather it will provide an additional measure of assurance to the Department and the Congress that appropriate and timely steps will be taken to provide proper internal controls. The conferene committee expects that the Office of Housing will cooperate fully with the Office of Administration in carrying out this difficult assignment.

AMERICAN BATTLE MONUMENTS COMMISSION

Amendment No. 106: Restores language proposed by the House and stricken by the Senate appropriating $1,553,000 for salaries and expenses.

ENVIRONMENTAL PROTECTION AGENCY

Amendment No. 107: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

CONSTRUCTION GRANTS

Of the funds appropriated in section 119 of Public Law 99-190 for necessary expenses to carry out title II of the Federal Water Pollution Control Act, an additional $1,200,000,000 is hereby made available: Provided, That the allocation of the $1,200,000,000 made available by this paragraph shall be in accordance with the formula in effect on October 1, 1984.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Although the Clean Water Act has still not been reauthorized, the conferees agree to release an additional $1,200,000,000 for the Environmental Protection Agency construction grants program. Currently over 20 states have depleted their allocation of 1986 construction grant funds and many projects are facing delays.

These funds are to be made available and expended only under the formula and other statutory provisions in effect during fiscal year 1985, without earmarkings or setasides for specific projects. In addition, these funds are to be made available for all eligible projects and categories and shall not be limited to existing phased or segmented projects through the apportionment process or other means. The conferees agree not to release the remaining $600,000,000 until after the Clean Water Act has been reauthorized.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Amendment No. 108: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

SPACE FLIGHT, CONTROL AND DATA COMMUNICATIONS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Space flight, control and data communications" $431,000,000, to remain available until September 30, 1987: Provided, That, upon enactment into law of this Act, $5,000,000 shall be transferred to "Research and development": Provided further, That $100,000,000, to remain available until September 30, 1988, is appropriated for fiscal year 1987 for "Space flight, control and data communications", and shall not become available for obligation until October 1, 1986: Provided further, That funds appropriated for fiscal year 1987 in the previous proviso may not be obligated until the Administrator of NASA has certified that the recommendations of the Rogers Commission have been implemented or are being implemented, or that an alternative approach satisfies the direction of the recommendation.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Committee of Conference has agreed to a total of $531,000,000 for the National Aeronautics and Space Administration. This is an increase of $5,000,000 above the level proposed by the Senate. Language has been included providing for the transfer of the $5,000,000 to the Research and Development account for a flight telerobotic servicer for the space station. In the 1986 HUD-Independent Agencies Appropriations Act, $5,000,000 was provided for this activity. These additional funds will help to ensure that the United States will have a flight telerobotic servicer available for early testing on shuttle and operations on space station.

The conferees have also agreed to provided $100,000,000 of the $531,000,000 recommended as an appropriation for fiscal year 1987. These funds may not be used until the Administrator of NASA has certified that the recommendations of the Rogers Commission have been implemented or are being implemented, or that an alternative approach satisfies the objective of the recommendation.

The conferees further direct that NASA make available sufficient funds to study an alternative solid rocket booster design such as unitary case, single cast propellant, etc. The study should be completed by December 31, 1986, and the results forwarded to the Committees on Appropriations. The study should focus on relative safety, technical risk, cost, and availability issues. When a final design is selected, the Committee directs that a request for proposal for a "second source" be issued, if the agency determines that such an approach can be adopted from within available resources. NASA has stated that a second source of production of solid rocket boosters is in the national interest. Accordingly, the agency is urged to develop a method which will make available all data developed in booster redesign and requalification to any potential competition. This creates a parallel process that should enhance a second source capability.

VETERANS ADMINISTRATION

Amendment No. 109: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following: *not less than $25,000,000 nor more than*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree that the VA is to utilize these additional funds to maintain the 193,941 staffing level authorized in the 1986 HUD-Independent Agencies Appropriations Act. If necessary, the VA is to utilize whatever additional funds are required to support that staffing level. The major construction funds to be transferred are to be taken from available unobligated balances in the working reserve, design fund and advanced planning fund.

Amendment No. 110: Inserts language proposed by the Senate providing that up to $6,000,000 is available for transfer to general operating expenses from construction, minor projects.

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

For payments to defray the costs of training and provision of incentives to employers to hire and train certain veterans as authorized by the Veterans' Job Training Act, as amended (29 U.S.C. 1721), $35,000,000, to remain available until September 30, 1988, and to be derived by transfer from "Construction, minor projects".

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

ADMINISTRATIVE PROVISIONS

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

ADMINISTRATIVE PROVISIONS

Retroactive to October 1, 1985, all payments for appraisals performed on a contractual basis in connection with the liquidation of housing loans guaranteed, insured, or made in conjunction with loan guarantee operations shall be charged to the VA loan guaranty revolving fund.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree that the additional funds made available in the general operating expenses appropriation by this provision be used for additional personnel in the loan guaranty program. This will help reduce the loan guaranty backlog caused by reduced mortgage rates.

NEIGHBORHOOD REINVESTMENT CORPORATION

Amendment No. 113: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate making an additional $250,000 of funds already appropriated available for object classes other than personnel compensation and benefits.

Amendment No. 114: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Each provision of law amended by Public Law 99-289, is amended by striking out "June 6, 1986" wherever it appears and inserting in lieu thereof "July 25, 1986".

URBAN DEVELOPMENT ACTION GRANTS IMPROVEMENTS

(a) PROJECT QUALITY CRITERIA.—Section 119(d)(1) of the Housing and Community Development Act of 1974 is amended—

(1) by inserting a dash before "(A)";

(2) by indenting subparagraphs (A) and (B) in the same manner as subparagraphs (C) and (D), as inserted by this subsection;

(3) in subparagraph (A), by striking out "as the primary criterion,";

(4) by striking out "and" at the end of subparagraph (B); and

(5) by striking out subparagraph (C) and inserting in lieu thereof the following new subparagraphs:

"(C) the following other criteria:

"(i) the extent to which the grant will stimulate economic recovery by leveraging private investment;

"(ii) the number of permanent jobs to be created and their relation to the amount of grant funds requested;

"(iii) the proportion of permanent jobs accessible to lower income persons and minorities, including persons who are unemployed;

"(iv) the extent to which the project will retain jobs that will be lost without the provision of a grant under this section;

"(v) the extent to which the project will relieve the most pressing employment or residential needs of the applicant by—

"(I) reemploying workers in a skill that has recently suffered a sharp increase in unemployment locally;

"(II) retraining recently unemployed residents in new skills;

"(III) providing training to increase the local pool of skilled labor; or

"(IV) producing decent housing for low- and moderate-income persons in cases where such housing is in severe shortage in the area of the applicant, except that an application shall be considered to produce housing for low- and moderate-income persons under this clause only if such application proposes that (a) not less than 51 percent of all funds available for the project shall be used for dwelling units and related facilities; and (b) not less than 30 percent of all funds used for dwelling units and related facilities shall be used for dwelling units to be occupied by persons of low and moderate income, or not less than 20 percent of all dwelling units made available to occupancy using such funds shall be occupied by persons of low and moderate income, whichever results in the occupancy of more dwelling units by persons of low and moderate income;

"(vi) the impact of the proposed activities on the fiscal base of the city or urban county and its relation to the amount of grant funds requested;

"(vii) the extent to which State or local Government funding or special economic incentives have been committed; and

"(viii) the extent to which the project will have a substantial impact on physical and economic development of the city or urban county, the proposed activities are likely to be accomplished in a timely fashion with the grant amount available, and the city or urban county has demonstrated performance in housing and community development programs; and

"(D) additional consideration for projects with the following characteristics:

"(i) projects to be located within a city or urban county which did not receive a preliminary grant approval under this section during the 12-month period preceding the date on which applications are required to be submitted for the grant competition involved; and

"(ii) twice the amount of the additional consideration provided under clause (i) for projects to be located in cities or urban counties which did not receive a preliminary grant approval during the 24-month period preceding the date on which applications under this section are required to be submitted for the grant competition involved.

If a city or urban county has submitted and has pending more than one application, the additional consideration provided by subparagraph (D) of the preceding sentence shall be available only to the project in such city or urban county which received the highest number of points under subparagraph (C) of such sentence.".

(b) SELECTION LIMITATIONS AND CRITERIA WEIGHT.—Section 119(d) of the Housing and Community Development Act of 1974 is amended by adding at the end thereof the following new paragraphs:

"(3) The Secretary shall award points to each application as follows:

"(A) not more than 35 points on the basis of the criteria referred to in paragraph (1)(A);

"(B) not more than 35 points on the basis of the criteria referred to in paragraph (1)(B);

"(C) not more than 33 points on the basis of the criteria referred to in paragraph (1)(C); and

"(D)(i) 1 additional point on the basis of the criterion referred to in paragraph (1)(D)(i); or

"(ii) 2 additional points on the basis of the criterion referred to in paragraph (1)(D)(ii).

"(4) The Secretary shall distribute grant funds under this section so that to the extent practicable during each funding cycle—

"(A) 65 percent of the funds is first made available utilizing all of the criteria set forth in paragraph (1); and

"(B) 35 percent of the funds is then made available solely on the basis of the factors referred to in subparagraphs (C) and (D) of paragraph (1).

"(5)(A) For each fiscal year, the Secretary shall hold—

"(i) 3 competitions for grants under paragraph (1) for cities not described in the first sentence of subsection (i) (relating to small cities) and urban counties; and

"(ii) 3 competitions for cities described in the first sentence of subsection (i) (relating to small cities).

"(B) Each competition for grants described in any clause of subparagraph (A) shall be for an amount equal to the sum of—

"(i) approximately ⅓ of the funds available for such grants for the fiscal year;

"(ii) any funds available for such grants in any previous competition that are not awarded; and

"(iii) any funds available for such grants in any previous competition that are recaptured.".

(c) USE OF REPAID GRANT FUNDS.—Section 119(f) of the Housing and Community Development Act of 1974 is amended by adding at the end thereof the following: "In any case in which the project proposes the repayment to the applicant of the grant funds, such funds shall be made available by the applicant for economic development activities that are eligible activities under this section or section 104. The applicant shall annually provide the Secretary with a statement of the projected receipt and use of repaid grant funds during the next year together with a report acceptable to the Secretary on the use of such funds during the most recent preceding full fiscal year of the applicant.".

(d) NONDISCRIMINATION.—Section 119(r) of the Housing and Community Development Act of 1974 is amended to read as follows:

"(r) In utilizing the discretion of the Secretary when providing assistance and applying selection criteria under this section,

the Secretary may not discriminate against applications on the basis of (1) the type of activity involved, whether such activity is primarily housing, industrial, or commercial; or (2) the type of applicant, whether such applicant is a city or urban county.".

(e) Reports of Comptroller General.—

(1)(A) Not later than the expiration of the 6-month period following the date of enactment of this Act and every 3 years thereafter, the Comptroller General of the United States shall prepare and submit to the Congress a comprehensive report evaluating the eligibility standards and selection criteria applicable under section 119 of the Housing and Community Development Act of 1974.

(B) Such report shall evaluate in detail the standards and criteria specified in such section that measure the level or comparative degree of economic distress of cities and urban counties and the effect of the grants awarded on the basis of such standards and criteria on stimulating the maximum economic development activity.

(C) Such report shall also evaluate in detail the extent to which the economic and social data utilized by the Secretary in awarding grants under such section is current and accurate, and shall compare the data used by the Secretary with other available data. The Comptroller General shall make recommendations to the Congress on whether or not other data should be collected by the Federal Government in order to fairly and accurately distribute grants under such section based on the level or comparative degree of economic distress. The Comptroller General shall also make recommendations on whether or not existing data should be collected more frequently in order to ensure that timely data is used to evaluate grant applications under such section.

(2) Not later than the expiration of the 3-month period following the date of the final competition for grants for fiscal year 1986 under section 119 of the Housing and Community Development Act of 1974, the Comptroller General of the United States shall prepare and submit to the Congress a comprehensive report describing the effect of the amendments made by this section on—

(A) the targeting of grant funds to cities and urban counties having the highest level or degree of economic distress;

(B) the distribution of grant funds among regions of the United States;

(C) the number and types of projects receiving grants;

(D) the per capita funding levels for each city, urban county, or identifiable community described in subsection (p) of such section 119, receiving assistance under such section 119; and

(E) the stimulation of the maximum economic development activity.

(f) Regulations.—The Secretary of Housing and Urban Development shall issue such regulations as may be necessary to carry out the amendments made by this section. Such regulations shall be published for comment in the Federal Register not later than 60 days after the date of enactment of this Act. The provisions of sec-

tion 119(d)(1)(D), section 119(d)(3), and section 119(d)(4) of the Housing and Community Development Act of 1974, shall take effect on the date of enactment of this Act.

(g) Applicability.—The amendments made by this section shall be applicable to the making of urban development action grants that have not received the preliminary approval of the Secretary of Housing and Urban Development before the date on which final regulations issued by the Secretary under subsection (f) become effective. For the fiscal year in which the amendments made by this section become applicable, such amendments shall only apply with respect to the aggregate amount awarded for such grants on or after such effective date.

(h) Fiscal Year 1986 Competitions.—Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall hold—

> *(1) 2 competitions for grants under section 119(d)(1) for cities not described in the first sentence of subsection (i) of such section and urban counties; and*
>
> *(2) 1 competition for such grants for cities described in the first sentence of subsection (i) of such section,*

between April 15, 1986, and October 1, 1986.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have agreed to accept the Senate language extending FHA mortgage insurance authority to July 25, 1986, and to make basic changes in the Urban Development Action Grant formula. On June 6 the HUD Secretary's authority to issue FHA loan commitments lapsed, imposing severe hardships on thousands of families buying homes with FHA financing. The conferees are aware that several other legislative vehicles would extend the FHA program, but felt it essential to include the extension language because of the urgency of the situation and the possibility of other bills being delayed. The combination of this extension and the increased FHA loan guarantee limitation provided in amendment number 103 will assure the continued operation of the FHA program until July 25.

The conferees also agreed to the UDAG formula change proposed by the Senate, amended to drop the "additional consideration" provision which would double project merit points for certain projects for the remainder of fiscal year 1986. This formula change is very similar to the House-passed provisions in the Housing Act of 1986 (H.R. 1), including the fundamental change to reserve 35 percent of the funds for allocation based solely on project merit.

The conferees believe the basic formula changes will lead to stronger UDAG projects overall, while still giving substantial emphasis to economic development needs in severely distressed cities and urban counties. In deciding to accept the overall UDAG formula changes, the conferees agreed to drop the provision which would double the points for certain projects in cities that had not received a UDAG grant since October 15, 1984. To reward projects because they failed to be selected for funding in three consecutive past rounds would simply divert funds from other higher ranked projects.

The conferees intend that these UDAG formula changes shall be put into effect as soon as possible. Specifically, HUD is directed to take all steps necessary in order to use these formula and criteria changes in making project selections in the next large city around currently scheduled for announcement around July 1.

CHAPTER VII

Amendment No. 115: Changes the Chapter number to VII as proposed by the Senate.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Amendment No. 116: Deletes the heading "rescission" proposed by the Senate.

Amendment No. 117: Defers $3,000,000 in Bureau of Land Management land acquisition funds as proposed by the House instead of a rescission of these funds as proposed by the Senate.

U.S. FISH AND WILDLIFE SERVICE

Amendment No. 118: Provides no additional funds for Resource management as proposed by the Senate instead of $90,000 as proposed by the House.

The managers have no objection to the reprogramming of $90,000 from project savings at the Dismal Swamp NWR for payment to Humphreys County, Tennessee for road repairs. The managers agree that the Department should continue to seek reimbursement from the contractor, in accordance with the provisions of the contract.

Amendment No. 119: Deletes deferral of land acquisition funds proposed by the House. The managers agree that the Fish and Wildlife Service should either purchase the Tortuguero and Cartegena properties or assure that Puerto Rico will protect the natural resources there.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

For an additional amount for "Land acquisition", $2,373,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment clarifies that the appropriation of $2,373,000 for land acquisition at Atchafalaya NWR is to be derived from the Land and Water Conservation Fund.

The managers have no objection to the reprogramming of $519,000 from funds appropriated for land acquisition for the California condor at Hudson Ranch to land acquisition at the Little White Salmon National Fish Hatchery.

The managers restate their support for maintenance and recovery of a wild California condor population and restate their support for acquisition of Hudson Ranch. The managers understand that negotiations are continuing and support efforts to reach a negotiated acquisition.

NATIONAL PARK SERVICE

Amendment No. 121: Appropriates $13,470,000 for Operation of the National park system as proposed by the Senate instead of $13,900,000 as proposed by the House.

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating $3,850,000 instead of $3,420,000 as proposed by the Senate and nothing as proposed by the House. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the Senate includes $430,000 for additional activity as a follow-on to the Reconnaissance Survey of Western Pennsylvania Roads and Sites prepared by the National Park Service in September, 1985. Included in this amount is $100,000 for resource evaluation, $180,000 for regionwide intergovernmental planning/coordination and $150,000 for a transportation corridor study.

The managers agree to a reprogramming to provide a loan of $1,435,000 to complete repairs to the Filene Center of the Wolf Trap Farm Park for the Performing Arts.

Amendment No. 123: Deletes deferral of $1,893,000 proposed by the Senate. The funds are deferred now and no separate approval is required.

The managers are concerned about the availability of funding for several urgent land acquisitions in Cuyahoga Valley National Recreation Area, Ohio. In response to those concerns, the Director of the National Park Service stated the following in a letter dated June 9, 1986: "We are pleased to advise that we will be able to provide the funding (for the Chessie System rail line) from the land acquisition account . . . Our ability to assure that funding is provided for acquisition of both the Chessie and Ohio Edison properties is dependent on both transactions being concluded before the end of this fiscal year".

Based on the Director's reassurance, the managers intend that sufficient funding be made available to cover approved appraised values for the Chessie System rail line; the Cameratta declaration of taking; the Ohio-Edison acquisition; and the Haydite and Huey acquisitions.

Amendment No. 124: Provides for the reestablishment of the Cape Cod National Seashore Advisory Commission through February 28, 1996 as proposed by the House.

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that reprogramming procedures must be used before any funds are used to drain lakes in the Delaware Water Gap National Recreation Area.

The managers are concerned, however, that this procedure may result in increased risk to life or property in cases of immediate and urgent threat, due to the amount of time required to review and act on the reprogramming proposal. The managers expect the reprogramming procedures to be followed, except that the Director shall take every action necessary to protect life and property in cases of real and immediate threats.

GEOLOGICAL SURVEY

Amendment No. 126: Appropriates $1,400,000 for surveys, investigations, and research as proposed by the Senate. No appropriation was provided by the House. The funds are for final payment of amounts due in the National Petroleum Reserve in Alaska.

MINERALS MANAGEMENT SERVICE

Amendment No. 127: Appropriates $200,000 for leasing and royalty management instead of $300,000 proposed by the House and no funds proposed by the Senate.

Amendment No. 128: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

Notwithstanding any other provision of law, for data and information acquired in fiscal year 1986 or thereafter, by the Secretary, pursuant to section 1352(a)(1)(C)(iii) of title 43, United States Code, payment shall be made for processing costs to permittees with permits issued on or before September 30, 1985.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment clarifies that the data and information acquired by the Secretary are geologic and geophysical data acquired by permittees with permits issued prior to fiscal year 1986.

OFFICE OF SURFACE MINING

Amendment No. 129: Rescinds $210,000 instead of $710,000 as proposed by the House and no rescission as proposed by the Senate.

BUREAU OF INDIAN AFFAIRS

Amendment No. 130: Appropriates $29,204,000 for the Operation of Indian programs instead of $31,368,000 as proposed by the House and $26,500,000 as proposed by the Senate.

The increase of $2,704,000 above the Senate results from applying a one percent reduction to the fiscal year 1986 appropriations for general assistance (−$671,000), Indian child welfare assistance (−$147,000), and the Solo Parent program (−$1,000); and a 4.3% reduction to Indian Child Welfare Act grants (−$379,000), and social services administrative funding (−$966,000). Therefore, the reduction in fiscal year 1986 to the social services program will total $2,164,000, rather than $4,868,000, a difference of $2,704,000. The managers agree that Gramm-Rudman-Hollings reductions are to be applied equally to each line item, unless a reprogramming is submitted to the Appropriations Committees and approved.

Amendment No. 131: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

: Provided further, That the levels established for general assistance by Public Law 99-88 (99 Stat. 388), are the maximum allowable payments

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment provides that only a ceiling, not a floor and a ceiling, has been established for the level of general assistance payments. The managers expect that the Bureau will make every effort to accurately project requirements and to request reprogrammings if severe shortfalls are forecast.

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

CONSTRUCTION

For an additional amount for "Construction", $2,500,000, to remain available until expended.

(DEFERRAL)

Of the funds previously appropriated under the heading "Bureau of Indian Affairs' Construction" in Public Law 98-8 (90 Stat. 20), $2,500,000 shall not become available for obligation until October 1, 1986.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides $2,500,000 for the construction of the Rocky Boys school instead of $4,900,000 as proposed by the Senate. Funding for Two Eagle River is not provided.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which directs that a loan be made to the Zuni tribe and that a lien be secured on trust, or other funds of the tribe, in the amount of the principal and interest of the loan.

TERRITORIAL AND INTERNATIONAL AFFAIRS

COMPACT OF FREE ASSOCIATION

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

sections 177, 122, 221, 223, 103(k), 105(c)(2), and 105(m) of

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 135: Appropriates $201,500,000 for Compact of Free Association instead of $178,750,000 as proposed by the House and $201,550,000 as proposed by the Senate.

The increase over the amount provided by the House includes $8,000,000 to establish a Prior Service Benefits Trust Fund, $9,400,000 for construction of the Federated States of Micronesia capitol, $2,600,000 for construction of the Marshall Islands capitol, and $2,750,000 for the Enjebi Community Trust Fund, established in Section 103(k) of Public Law 99-239.

The managers have not provided funds for indefinite land use payments at this time. The managers remain committed to the payment of these debts, as specified in Section 105(n) of the Compact of Free Association Act, and expect the Department of the Interior and Trust Territory Government to complete expeditiously the determination of the exact amounts required. When the amount has been determined, the managers expect the Department to submit promptly a request for appropriation of the required amount so that the payments may be made as quickly as possible.

Amendment No. 136: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

, including $8,000,000 for initial capitalization of a trust fund to fund the Prior Service Benefits portion of the Trust Territory Social Security System in accordance with section 105(m) of Public Law 99-239, and $2,750,000 for the Enjebi Community Trust Fund, as authorized in Section 103(k) of Public Law 99-239, and $9,340,000, to remain available until expended, for grants and necessary expenses to the Republic of Palau, to become available for obligation upon the enactment of S.J. Res. 325 or similar legislation

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Funding has been provided for the Palau Compact, subject to enactment of the Palau Compact legislation.

The managers have provided funds for capitalization of a Prior Service Benefits Trust Fund, and for initial funding of the Enjebi Community Trust Fund established in Section 103(k) of the Compact. The managers expect the Department to submit promptly a request to fund the balance of the $10,000,000 total for the Enjebi Trust Fund. Until that request is made and approved by Congress, funds provided in this Act shall not be distributed from the Enjebi Trust Fund. With regard to the Prior Service Benefits Trust Fund, the managers are aware that the exact amount needed to provide for these payments over time has not been determined, and that the amount provided may need to be adjusted in the future. In establishing this fund, the managers expect the Social Security Administration of the Trust Territory to determine who are the eligible participants, and then allow no further enrollment or eligibility in the program; and to establish reasonable terms and conditions for the future stream of payments, including any anticipated adjustments. The Secretary of the Interior shall approve the establishment of the Fund, prior to its initiation.

Amendment No. 137: Restores language proposed by the House and stricken by the Senate and deletes language proposed by the Senate which would have provided all the Compact funding as a current appropriation, rather than establishing a permanent appropriation.

Amendment No. 138: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides a permanent appropriation for the Palau Compact funding, subject to enactment of the Palau Compact legislation.

Amendment No. 139: Provides that $60,719,000 of the fiscal year 1986 Trust Territory of the Pacific Islands appropriation shall be offset against the Compact funding, instead of $50,493,000 as proposed by the House and $62,947,000 as proposed by the Senate. Included in the offset are the annual grants to the FSM ($38,763,000), Marshall Islands ($10,940,000), and Palau ($10,084,000), and the funds for satellite communications ($932,000).

With respect to the $250,000 provided in Public Law 99-190 in the Trust Territory of the Pacific Islands account for planning for a base camp on Eneu Island, the managers intend that the contractor for these funds shall be selected by the Bikini/Kili/Ejit Local Government Council subject to the approval of the Department of the Interior.

Amendment No. 140: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that Kwajalein impact payments may be used to reimburse the Department of the Army.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Amendment No. 141: Appropriates $1,700,000 for construction as proposed by the Senate, instead of no funding as proposed by the House.

It is the understanding of the managers that the Forest Service has spent $949,000 for flood damage repair projects in the Monongahela NF, WV, and that $264,000 remains to be spent in fiscal year 1986. For the Parsons Laboratory, $104,000 has been spent and $162,000 remains to be spent. The managers intend funds for the remaining projects in these two areas, totalling $426,000, to be obligated during fiscal year 1986. The balance of the funds provided shall be spent for other required flood damage repair projects in the Jefferson NF and the George Washington NF, including the Brandywine Recreation Area.

The funds provided for the Parsons Laboratory are necessary for operation in fiscal year 1986, and do not imply any decision as to disposition of the laboratory in fiscal year 1987.

The Forest Service is requested to submit promptly to the Appropriations Committees a list of flood repair projects remaining to be funded in these four locations in fiscal year 1987.

Amendment No. 142: Strikes the word "bill" and inserts the word "Act" as proposed by the Senate.

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

SECTION 1. Provisions of 7 U.S.C. 147b shall apply to appropriations available to the Forest Service only to the extent that the proposed transfer is approved by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 97-942.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 144: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 2. (a) Notwithstanding any other provision of law, the Secretary of Agriculture shall, within funds made available by this Act or any other appropriations Act, release on behalf of the United States the condition described in subsection (b) of this section with respect to the tract of land described in subsection (c) of this section: Provided, That—

(1) the State of Georgia, acting by and through the Georgia State Properties Commission, enters into an agreement with the Secretary of Agriculture stating that the State of Georgia will convey the described tract of land to Brantley County, Georgia, for consideration determined adequate by the Commission, and which consideration shall, if withdrawn from the account, be used exclusively for public purposes;

(2) the State of Georgia shall pay into the Treasury of the United States as miscellaneous receipts a sum of money which the Secretary of Agriculture deems is sufficient to reimburse the

administrative costs of releasing the condition pursuant to this subsection; and

(3) the State of Georgia shall provide to the United States the fair market value of the described tract of land, as determined by the Secretary, either in cash or by exchange of lands, waters, or interest therein.

(b) The condition to be released pursuant to subsection (a) of this section is the condition found in that certain deed dated March 30, 1955, which conveys from the United States to the State of Georgia, Georgia Forestry Commission, certain real property in Ware and Brantley Counties, Georgia, and which deed was recorded on May 17, 1955, in the Office of the Secretary of State, State of Georgia, providing that the land conveyed be used for public purposes and that title to said land revert to the United States if it is not used for public purposes.

(c) The parcel of land to which the release provided for in subsection (a) of this section is described as follows:

All that tract or parcel of land, situated, located and being in Land Lot No. 128 in the 9th Land District of Brantley County, Georgia, being 55.04 acres, more or less, and being more particularly described as follows: Beginning at the point where the centerline of the SCL Railroad tracks from Waycross to Brunswick intersects the centerline of that certain Brantley County paved road known as County Road No. 15, and thence N 08 degrees 54'00" W a distance of 97.72 feet to a point; thence, N 79 degrees 40'50" E a distance of 40.02 feet to a point; thence, N 79 degrees 40'50" E a distance of 260.03 feet to a point; thence, N 68 degrees 30'00" E a distance of 390.0 feet to a point, this point being the point or place of beginning of the tract to be released from the described condition; thence, N 13 degrees 15'00" W a distance of 701.15 feet to a point; thence, S 73 degrees 10'00" W a distance of 647.09 feet to a point; thence, N 17 degrees 13'50" W a distance of 304.91 feet to a point; thence, N 61 degrees 23'03" E a distance of 2452.76 feet to a point; thence, S 06 degrees 09'26" E a distance of 275.29 feet to a point; thence, S 07 degrees 17'36" E a distance of 442.26 feet to a point; thence, S 00 degree 30'41" E a distance of 183.67 feet to a point; thence, S 12 degrees 11'06" E a distance of 160.31 feet to a point; thence, S 05 degrees 13'46" E a distance of 390.62 feet to a point; thence, S 34 degrees 53'42" W a distance of 201.01 feet to a point; thence, S 75 degrees 01'09" W a distance of 1371.18 feet to a point; this point being the point or place of beginning of the tract.

For a more complete description of the tract, reference is hereby made to that certain plat prepared on August 4, 1985, by Harry Strickland, Brantley County Surveyor, entitled "Survey for Brantley County" which plat is on file with the Georgia State Properties Commission.

(d) Section 32(c) of the Bankhead-Jones Farm Tenant Act of 1937, as amended (7 U.S.C 1011), shall not apply to the release provided for in subsection (a) of this section.

(e) The conveyance made pursuant to subsection (a) of this section shall reserve to the United States all gas, oil, coal and other mineral deposits as may be found in the lands conveyed by this section.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides that the United States Government can clear title to 55 acres of land to be transferred to Brantley County, Georgia. The State shall provide to the United States the current fair market value, as determined by the Secretary, either in cash or by exchange of lands, water, or interest therein. The fair market value shall be determined by the Secretary through the normal appraisal process.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Amendment No. 145: Disapproves all but $2,607,000 of a deferral of funds for fossil energy research and development not released as of the date of enactment of this Act, instead of $2,607,000 and those funds not released as of May 1, 1986 as proposed by the Senate, and $2,607,000 and those funds not released as of February 5, 1986 as proposed by the House.

The proposed language merely clarifies the managers' position that all deferred funds except for $2,607,000 are to be released as proposed originally by both the House and Senate.

Those funds remaining deferred include balances of $1,569,000 from prior year recoveries, $192,000 of unobligated balances, and $846,000 of section 515 deferrals.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Amendment No. 146: Deletes approval of the deferral of $36,461,000 for the Naval petroleum and oil shale reserves which was proposed by the Senate. The House bill had no such provision. The funds are deferred now and no separate approval is required.

ENERGY CONSERVATION

Amendment No. 147: Disapproves all but $6,556,000 of a deferral of funds for energy conservation not released as of the date of enactment of this Act, instead of $6,556,000 and those funds not released as of May 1, 1986 as proposed by the Senate, and all funds not released as of March 12, 1986 as proposed by the House.

The proposed language clarifies the managers' position agreeing to the Senate position to release all funds except $6,556,000.

The funds remaining deferred are unobligated balances from fiscal year 1985.

STRATEGIC PETROLEUM RESERVE

Amendment No. 148: Strikes the word "bill" and inserts the word "Act" as proposed by the Senate.

Amendment No. 149: Disapproves the deferral of $577,534,000 for petroleum acquisition as proposed by the Senate instead of $315,000,000 as proposed by the House.

Amendment No. 150: Strikes the word "bill" and inserts the word "Act" as proposed by the Senate.

Amendment No. 151: Deletes language, which was proposed by the Senate, that provides that the minimum fill rate for the Reserve be set by the fiscal year 1987 Budget Resolution.

Amendment No. 152: Deletes language proposed by the House and stricken by the Senate providing a minimum fill rate of 100,000 barrels a day.

The managers agree that the Administration should fill the Reserve at a rate which will use fully the existing capacity, as well as that capacity which will be created by new leaching activity undertaken as a result of deferral disapprovals in this legislation. The managers expect the Administration to enter into oil purchase contracts taking advantage of existing low prices or to take advantage of opportunities to enter into extended contracts at low prices and at rates that will fill the capacity at a reasonable pace.

ALTERNATIVE FUELS PRODUCTION

Amendment No. 153: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates $1,020,360,322 for alternative fuels production. No appropriation was proposed by the House. The appropriation would repay notes issued by the Secretary of Energy to the Secretary of the Treasury to repay the Federal Financing Bank for the defaulted debt on the Great Plains coal gasification plant. No outlay of funds is involved.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

INDIAN HEALTH SERVICES

Amendment No. 154: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

$13,500,000: Provided, That $1,530,000 shall not become available for obligation until September 30, 1986: Provided further, That funds made available to tribes and tribal organizations through grants and contracts authorized by the Indian Self-Determination and Educational Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall remain available until September 30, 1987.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase above the amount provided by the Senate consists of $7,700,00 for hospitals and clinics and $4,000,000 for contract health services.

The managers agree that the management fellowship program shall be developed jointly by the Indian Health Service and the Association of University Programs in Health Administration.

Amendment No. 155: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede

and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

INDIAN HEALTH FACILITIES

(DEFERRAL)

Of the funds previously appropriated under this head, $11,665,000 shall not become available for obligation until October 1, 1986.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that the $2,080,000 not approved for deferral shall be reprogrammed as follows: $600,000 for Chinle, AZ housing; $600,000 for Kanakanak, AK hospital; $600,000 for Sacaton, AZ hospital; and $280,000 for Tsaile, AZ housing.

SMITHSONIAN INSTITUTION

NATIONAL GALLERY OF ART

Amendment No. 156: Transfers $36,000 for salaries and expenses instead of $136,000 as proposed by the House and no funds as proposed by the Senate.

The amendment provides $36,000 for salaries for five curators for the balance of the fiscal year. No funds have been included for equipment.

CHAPTER VIII

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

Amendment No. 157: Changes chapter number as proposed by the Senate.

Amendment No. 158: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which inserts a new heading.

Amendment No. 159: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate. This amendment appropriates $2,000,000 to remain available until September 30, 1987 to support demonstration grants authorized by Section 1910 of the Public Health Service Act to improve emergency medical services for children. The House bill included no similar provision.

The conferees are agreed that all applications shall be subject to the normal peer review procedures of the Health Resources and Services Administration and that grants should be awarded competitively.

Amendment No. 160: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the amendment of the Senate. This language requires the Department of Health and Human Services to renew grants and contracts under title XV of the Public Health Service Act into FY 1987 if FY 1986 carryover balances are available. The House bill included no similar provision.

Section 124 of the FY 1986 Continuing Resolution, P.L. 99-190, prohibits the Department of Health and Human Services from terminating grants or contracts under title XV of the Public Health Service Act prior to August 15, 1986 because of a failure to reauthorize the health planning program. The language agreed to is not intended to change section 124 but clarifies that any health planning funds not expended during FY 1986 could be carried over into FY 1987 and used to fund close-out costs should the program not be reauthorized.

NATIONAL INSTITUTES OF HEALTH

Amendment No. 161: Appropriates $6,000,000 as proposed by the House for grants for Cancer Research Centers. The Senate bill contained no similar provision.

Amendment No. 162: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, amended to read as follows:

In lieu of the matter proposed by said amendment insert the following:

ADMINISTRATIVE PROVISION

Funds made available for fiscal year 1986 and hereafter to the Warren G. Magnuson Clinical Center of the National Institutes of Health shall be available for payment of nurses at the rates of pay and with schedule options and benefits authorized for the Veterans Administration pursuant to 38 U.S.C. 4107.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

OFFICE OF COMMUNITY SERVICES

COMMUNITY SERVICES BLOCK GRANT

Amendment No. 163: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, amended to read as follows:

In lieu of the matter proposed by said amendment insert the following:

OFFICE OF COMMUNITY SERVICES

COMMUNITY SERVICES BLOCK GRANT

SEC. 1. (a) The Administrator of General Services shall assign the property described in subsection (e) to the Secretary of Health and Human Services for transfer of such property in accordance with this section to the District of Columbia for use as a shelter for homeless individuals in the District of Columbia.

(b) Immediately after the assignment of such property pursuant to subsection (a), the Secretary of Health and Human Services shall

transfer the title to such property without cost of the District of Columbia for use as a shelter for homeless individuals.

(c) The deed of conveyance for the property described in subsection (e) shall provide that, if the District of Columbia sells, leases, or otherwise transfers such property to any other person or agency, a fraction of the proceeds of such sale, lease, or transfer (as determined under subsection (d)) may be retained by the District of Columbia for use in programs providing shelter and related services for homeless individuals in the District of Columbia and the remainder of such proceeds shall be paid to the Secretary of the Treasury and deposited as miscellaneous receipts of the United States.

Any sale, lease, or other transfer pursuant to this subsection shall be made after public advertising for bids or by other means designed to secure full and open competition.

(d) The fraction of such proceeds which may be retained by the District of Columbia for use in programs providing shelter and related services for homeless individuals in the District of Columbia shall be determined by dividing—

(1) the number of months that such property is used as a shelter for homeless individuals in the District of Columbia pursuant to this section prior to such sale, lease, or transfer; by

(2) 120,

except that such fraction shall not be greater than one.

(e) The property to which this section applies is the property located at 425 Second Street, Northwest, in the District of Columbia, more fully described as follows:

All that parcel situated in the Northwest quadrant of the City of Washington, District of Columbia, and being a portion of District of Columbia Square Number 571, containing in their entirety former lots numbered 9 through 18, inclusive, and 22 through 26, inclusive, as recorded in Liber B, Folio 160 of the Records of the Office of the Surveyor for the District of Columbia, and lots 45 through 51 inclusive, as recorded in Liber 19, Folio 118 of the Records of the Office of the Surveyor for the District of Columbia; such land now known for purposes of assessment as Lot 820, and containing 1.16 acres of land, more or less; and more particularly described in a deed between the Reconstruction Finance Corporation and the United States of America, dated July 30, 1947, and recorded in Liber 8761, Folio 79 of the Land Records of the District of Columbia.

SEC. 2. For making a grant to the District of Columbia upon the completion of the conveyance to the District of Columbia of the property located at 425 Second Street, Northwest, in the District of Columbia, in accordance with section 1 and upon the submission of a request to the Office of Community Services, Department of Health and Human Services, by the District of Columbia, $1,500,000 for the repair and renovation of such property for use as a shelter for the homeless.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have provided an additional $1,500,000 to the Office of Community Services for the shelter for the homeless in the District of Columbia which together with funds already available provide a total of $6,500,000 for the shelter. It is not the intent of the conferees that funds provided in this Act be used to replace funds that the Administration is redirecting for the shelter renovation and repair.

Along with enabling transfer of title language provided in this Act, the conferees direct that these funds be spent immediately in order that all necessary repairs be made at the facility prior to the onset of cold weather months.

The conferees are agreed that attention shall be given to providing or promoting housing needs for people as provided in the March 1986 report to the Committees on Appropriations by the Federal Emergency Management Agency pursuant to P.L. 99-88 titled "Homelessness: The Reported Condition of Street People and Other Disadvantaged People in Cities and Counties Throughout the Nation."

DEPARTMENT OF EDUCATION

IMPACT AID

Amendment No. 164: Restores amount and language in the House bill providing $20,000,000 to remain available until expended for disaster assistance to local schools for repair or replacement of facilities damaged by natural disasters.

Amendment No. 165: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which prevents the Department of Education from implementing new regulations after March 31, 1986, insofar as the regulations pertain to fiscal year 1986.

Amendment No. 166: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which pertains to heavily impacted school districts to ensure that calculations under section 3(d)(2)(B) of Public Law 81-874 are based on actual payments to school districts rather than entitlements.

It is the intention of the conferees that in the administration of funds under Section 3(d)(2)(B) of Public Law 81-874, payments for the fiscal year 1986 should be determined according to actual payments made to the eligible districts under sections (a) and (b) instead of the districts' entitlement under basic law. The Secretary should implement this provision with all possible speed.

Amendment No. 167: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires the Department of Education to follow State law in counting kindergarten children for the purpose of impact aid payments.

Amendment No. 168: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

Effective on October 1, 1980, section 3(d)(3) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress) is amended by redesignating subparagraph (C) as subparagraph (D), and by adding after subparagraph (B) the following new subparagraph:

"(C) The local contribution rate for a local educational agency shall include current expenditures from that portion of a real property tax required to be levied, collected, and distributed to local educational agencies by county governments pursuant to state law where the remainder of such real property tax is transferred to the State."

The managers of the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 169: Delete heading proposed by the Senate.

Amendment No. 170: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which directs the Secretary of Education to accept an application from Preston County Board of Education, West Virginia, for disaster assistance.

Amendment No. 171: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language to relieve the Hays-Lodge Pole School District No. 509 in Hays, Montana, of liability to repay to the United States interest on funds awarded to the school district for a construction project initiated in 1975.

REHABILITATION SERVICES AND HANDICAPPED RESEARCH

Amendment No. 172: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

In lieu of matter proposed by said amendment insert the following:

REHABILITATION SERVICES AND HANDICAPPED RESEARCH

From the amounts appropriated to carry out the Rehabilitation Act of 1973, $27,945,000 shall be made available for special demonstration projects for the severely disabled under section 311: Provided, That $8,613,000 shall be used for supported employment demonstrations.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

STUDENT FINANCIAL ASSISTANCE

Amendment No. 173: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which appropriates $146,000,000 for the Pell Grant Program. The House bill includes no funds for this purpose.

RELATED AGENCIES

SOLDIERS' AND AIRMEN'S HOME

OPERATION AND MAINTENANCE

(TRANSFER OF FUNDS)

Amendment No. 174: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which authorizes the transfer of up to $1,241,000 from the capital outlay account at the Home to the operation and maintenance account.

DEPARTMENT OF LABOR

ADMINISTRATIVE PROVISION

Amendment No. 175: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment amended to read as follows:

Restore the matter stricken by said amendment amended to read as follows:

DEPARTMENT OF LABOR

ADMINISTRATIVE PROVISION

No Job Corps Center operating under part B of title IV of the Job Training Partnership Act shall be closed prior to July 1, 1987.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees are aware that the Labor Department has recently completed an evaluation of all 106 of the Nation's Job Corps Centers indicating wide disparities in cost and effectiveness. It is not the conferees' intent to indefinitely prohibit the closing of Job Corps Centers for any reason. The conferees recognize, however, that there may be a need to further perfect the newly developed Labor Department rating system, and therefore have recommended a temporary moratorium on the planned closing of Job Corps Centers, until at least July 1, 1987. The Employment and Training Administration is directed to continue recruitment and referral of youth to all Job Corps Centers, in order to maintain average enrollments at current levels.

CHAPTER IX

LEGISLATIVE BRANCH

SENATE

Amendment No. 176: Reported in technical disagreement. Inasmuch as the amendment relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as requested by the Senate conferees as follows:

"Delete the second full sentence on page 66 of the Senate engrossed amendments."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment is a technical correction which deletes a redundant sentence.

House of Representatives

SALARIES, OFFICERS, AND EMPLOYEES

Amendent No. 177: Appropriates $500,000 for the Office of the Sergeant at Arms, as proposed by the Senate. These funds are for U.S. Capitol Police personnel assigned to the House rolls and are provided to avoid furloughs of current, on-board personnel and to allow existing vacancies to be filled.

CONTINGENT EXPENSES OF THE HOUSE

SPECIAL AND SELECT STANDING COMMITTEES

Amendment No. 178: Appropriates $350,000 for the House Committee on Standards of Official Conduct as proposed by the House.

JOINT ITEMS

Capitol Police

CAPITOL POLICE BOARD

Amendment No. 179: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Capitol Police

CAPITOL POLICE BOARD

For an additional amount for the "Capitol Police Board", $13,000,000, to remain available until expended, to implement an improved security plan for the United States Capitol, after such plan shall have been approved by the Senate Committee on Rules and Administration, the Senate Committee on Appropriations, the House Committee on Appropriations, the House Committee on Public Works and Transportation, and the Committee on House Administration: Provided, That upon approval of the House and Senate Committees on Appropriations, such Board is authorized to transfer to the Architect of the Capitol so much of such funds as may be necessary to enable the Architect of the Capitol to carry out appropriate projects to implement such plan, and the Architect of the Capitol is authorized to obligate and expend the funds so transferred to him to carry out contracts entered into without regard to *section 3709 of the Revised Statutes, as amended: Provided further, That before any such transfer of funds to the Architect of the Capitol takes place, the House and Senate Committees on Appropriations shall review and approve detailed documentation describing the scope, cost an construction schedule of the work to be accomplished by the transfer of funds.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The funds are provided for the implementation of a plan to improve the security of the Capitol and the Senate and House office buildings, with the stipulation that these funds will not be made available for obligation until the appropriate committees of Congress have considered and approved a final plan. In presenting such plan, the Capitol Police Board is directed to arrange a schedule for Committee approvals that is compatible with the normal authorization—first, appropriation—last, sequence. The amendment contains the normal procedure for transferring project funds from the Capitol Police Board to the Architect of the Capitol to carry out appropriate projects to implement such plan, with the approval of the Committees on Appropriations.

ARCHITECT OF THE CAPITOL

Amendment No. 180: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the matter reposed by said amendment, insert the following:

OFFICE OF THE ARCHITECT OF THE CAPITOL

SALARIES

For an additional amount for "Office of the Architect of the Capitol, Salaries", $250,000, to remain available until expended: Provided, That these funds shall be transferred to the appropriation "Capitol Grounds", and the Architect of the Capitol is authorized to obligate and expend funds so transferred only for the detailed design and cost estimates associated with the construction aspects of the congressional joint leadership proposal to improve security of the Capitol and the House and Senate office buildings.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides that the funds for the design and cost estimates associated with the construction aspects of the Capitol security plan are to be transferred to the "Capitol grounds" appropriation since contractual services may be required.

WEST CENTRAL FRONT OF THE CAPITOL

Amendment No. 181: Deletes rescission proposed by the Senate.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

Amendment No. 182: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

In lieu of the first sum named in said amendment, interest the following: "*$867,000*"

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The sum provided includes $500,000 to remain available until expended for the acquisition of books and other library materials, $120,000 for cataloging, $135,000 for deck attendants, and $112,000 for reading room personnel. These funds are sufficient to take care of the needs encompassed by the Senate floor amendment. The conferees direct that $247,000 of these funds be used to reopen the Library of Congress during evening and weekend hours. Since many users of Library facilities and material find it inconvenient or impossible to visit the collections during the current daytime schedule, the Librarian of Congress should arrange hours of operations to a more suitable schedule. If these funds are insufficient for that purpose the Library is directed to use other available funds.

CHAPTER X

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

Amendment No. 183: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing $10,400,000 by transfer.

The conferees are concerned that, despite the transfer of $15,000,000 pursuant to section 1421 of the Department of Defense Authorization Act of 1986, Coast Guard personnel are not deployed as intended on Navy ships in drug interdiction areas. In fact, the number of personnel actually deployed on Navy ships ranged from 0 to 10 between March 5, 1986, and April 16, 1986. The conferees direct the Secretary of the Navy and the Secretary of Transportation to report to the House and Senate Committees on Appropriations by July 4, 1986, regarding: (1) the number of naval vessels that have been operating in drug interdiction areas since section 1421 was enacted; (2) the number of Coast Guard personnel deployed on those vessels during the past six months along with associated personnel costs; (3) plans for deploying Coast Guard personnel on naval vessels (including associated costs) for the remainder of the fiscal year; and (4) the feasibility, cost, and drug interdiction implications of deployments at the 100, 200, 300, 400, and 500 person levels for the remainder of this fiscal year.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Amendment No. 184: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Out of available funds, the Coast Guard shall make available not more than $750,000 for maintenance, sealing and preservation of lighthouses in the Commonwealth of Massachusetts.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Out of available funds, the Coast Guard is directed to make available up to $750,000 for the maintenance, sealing and preservation of the following lighthouses in the Commonwealth of Massachusetts: Minots Ledge Lighthouse, East Chop Lighthouse, Marblehead Lighthouse, Boston Lighthouse, The Graves Lighthouse, and Thachers Island (North) Lighthouse.

The conferees have agreed to the following distribution of the fiscal year 1986 Acquisition, construction, and improvements appropriation:

Vessels	$70,300,000
Aircraft	38,000,000
Command, control and communications	7,400,000
Shore facilities and navigation aids	63,850,000
Support	18,006,000
Transfer to operating expenses	10,400,000
Total	207,956,000

Within available funds, the conferees direct the Coast Guard to construct and equip a single-helicopter air facility at Newport, Oregon, including construction of the facility at Newport and necessary renovation of the parent air station at Astoria, stationing of two HH-65A helicopters, aircraft sparing and initial provisioning, and ground support equipment. The conferees expect any adjustments required to provide funding for this facility to be accomplished through the normal reprogramming process.

The conferees recognize that the Coast Guard's fiscal year 1987 acquisition, construction, and improvements budget estimate assumes the availability of $190,200,000 from the fiscal year 1986 appropriation for the coastal defense augmentation fund. However, no deferral of the coastal defense augmentation fund has been requested to make these funds available for the acquisition, construction, and improvements program and there has been no indication from the Department of Defense that such a request will be proposed. Therefore, the conferees expect the Secretary of Transportation to submit a revised budget request for fiscal year 1987 acquisition, construction, and improvements spending that will meet all existing fiscal year 1987 contractual requirements. Until such a revised request is submitted, the conferees direct the Coast Guard to reserve sufficient funds to meet the agency's fiscal year 1987 contractual requirements.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

Amendment No. 185: Conforms heading.

Amendment No. 186: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

$84,250,000, of which $2,000,000 shall be derived by transfer from "Coast Guard, Retired pay", and $2,250,000 shall be derived by transfer from "Coast Guard, Research, development, test, and evaluation": Provided, That, if by July 15, 1986, the Secretary of Transportation and the appropriate governmental authorities of Dade County, Florida, have not reached agreement on the execution of a full funding contract for the project identified in Section 320 of the Department of Transportation and Related Agencies Appropriations Act, 1986, the memorandum of understanding submitted by the Metro-Dade Transportation Administration to the Urban Mass Transportation Administration on June 6, 1986, shall be deemed approved by the Secretary and shall be binding on the Department of Transportation and Metropolitan Dade County upon acceptance by the appropriate Dade County governmental authorities: Provided further, That such memorandum of understanding shall be deemed approved by the Secretary notwithstanding 42 U.S.C. Sections 4321 through 4335 inclusive, and applicable regulations

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have included bill language regarding the negotiations called for in section 320 of the Department of Transportation and Related Agencies Appropriations Act, 1986, on the north and south legs of the downtown component of Metrorail in Dade County, Florida. The language provides that unless agreement on the execution of a full funding contract is reached by July 15, 1986, the June 6, 1986, memorandum of understanding submitted by the Metro-Dade Transportation Administration to the Urban Mass Transportation Administration is deemed approved. The language further waives provisions of the National Environmental Policy Act (NEPA)—42 U.S.C. sections 4321 through 4335 inclusive—only with regard to the approval of the memorandum of understanding. This reflects the conferees' belief that approval of the memorandum of understanding does not constitute a "major federal action".

The conferees included this language because the negotiations were suspended at the end of the 90-day period specified in section 320 and no agreement has been reached. The conferees intend this limited waiver to resolve the issue raised by the Department of Transportation General Counsel in a memorandum of April 9, 1986, to the UMTA Administrator and to remove what the Department states is a principal procedural barrier to approving any agreement. It should be noted that the conferees have no intention of avoiding environmental review of the project, and that Dade

County is proceeding with an environmental impact statement on an accelerated schedule.

The conferees understand that negotiations on the minimum operable segment, MOS-1, of the downtown Los Angeles to San Fernando Valley Metro Rail project are continuing. With regard to this project, the conferees reiterate the language contained in section 320 of the Department of Transportation and Related Agencies Appropriations Act, 1986, and the accompanying statement of the managers. The conferees expect the Secretary and the Southern California Rapid Transit District to continue negotiations and to reach agreement as contemplated by section 320.

The Federal Aviation Administration is directed to implement the guidance included in Senate Report 98-570 found under the heading Federal Aviation Administration, Operations, within 90 days of enactment of this Act.

Amendment No. 187: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

: *Provided further, That, at a minimum, the air traffic control onboard employment level shall be 14,480 by September 30, 1986*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

In establishing a minimum air traffic control staffing level, the conferees do not intend that the FAA be limited to the 14,480 level. The conferees reiterate the language regarding air traffic controller staffing contained in House report 99-450.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 188: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing $72,220,000 by transfer.

FEDERAL HIGHWAY ADMINISTRATION

(FEDERAL-AID HIGHWAYS)

(HIGHWAY TRUST FUND)

Amendment No. 189: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate authorizing the expenditure of $5,000,000 from the Emergency Relief Fund established by section 125 of title 23 for certain activities in the State of Utah.

FEDERAL RAILROAD ADMINISTRATION

REDEEMABLE PREFERENCE SHARES

Amendment No. 190: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate clarifying the Secretary of Transportation's authority to issue fund anticipation notes, and to expend proceeds from the sale of such notes.

URBAN MASS TRANSPORTATION ADMINISTRATION

FORMULA GRANTS

Amendment No. 191: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate clarifying the distribution of formula grant funds to urbanized areas that became urbanized areas for the first time under the 1980 census.

RELATED AGENCY

PANAMA CANAL COMMISSION

OPERATING EXPENSES

Amendment No. 192: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken, amended to read as follows:

RELATED AGENCY

PANAMA CANAL COMMISSION

OPERATING EXPENSES

For an additional amount for "Panama Canal Commission, Operating expenses", $18,300,000, of which $17,181,000 may be available either for operating expenses or for vessel accident claims as authorized by Public Law 99-209, and $1,119,000 shall be available for payment to the Republic of Panama, pursuant to article XIII, paragraph 4(c) of the Panama Canal Treaty of 1977.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement includes $18,300,000 for Panama Canal operating expenses. Of this amount, $17,181,000 may either be applied to operations requirements in excess of available appropriations, or to vessel accident claims. In the event legislation is enacted exempting the Commission from the March 1, 1986, fund sequester, the conferees expect this additional amount will only be available for audited, negotiated damage claims. In addition, $1,119,000 is available for payment to the Republic of Panama under the terms of the 1977 Treaty.

CHAPTER XI

DEPARTMENT OF THE TREASURY

Amendment No. 193: Deletes language proposed by the Senate which would have rescinded $912,000 for Departmental Offices.

Amendment No. 194: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that $6,000,000 previously appropriated to the Federal Law Enforcement Training Center for dormitory construction will remain available until expended.

Amendment No. 195: Appropriates $500,000 for the Bureau of Alcohol, Tobacco and Firearms as proposed by the Senate.

Amendment No. 196: Inserts the word "*SECTION*" as proposed by the Senate instead of the word "Section" as proposed by the House.

Amendment No. 197: Inserts the abbreviation "*SEC.*" as proposed by the Senate instead of the word "Section" as proposed by the House.

Amendment No. 198: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which mandates that the Internal Revenue Service provide certain data processing support to the Bureau of Alcohol, Tobacco and Firearms.

Amendment No. 199: Reported in disagreement.

Amendment No. 200: Deletes a provision proposed by the Senate which would have amended the Consolidated Omnibus Reconciliation Act of 1985 regarding certain insolvent taxpayers.

Amendment No. 201: Restores a provision inserted by the House and deleted by the Senate regarding the personnel level of the U.S. Customs Service.

Amendment No. 202: Appropriates $3,225,000 for the operation and maintenance of the air interdiction program of the U.S. Customs Service as proposed by the House.

U.S. POSTAL SERVICE

Amendment No. 203: Deletes a center heading proposed by the Senate.

Amendment No. 204: Deletes a provision proposed by the Senate pertaining to the naming of a Post Office building in South Carolina. The conferees are agreed, however, in urging the Postmaster General to name this post office building the "Solomon Blatt, Sr., Post Office Building" as proposed by the Senate.

Amendment No. 205: Deletes a provision proposed by the Senate. The conferees are concerned that an action taken in the Omnibus Reconciliation Act of 1985 raising postage rates for rural newspapers will have a devastating impact on these papers. Because of the serious adverse impact on these newspapers, the conferees urge the authorizing committees to take appropriate action at the earliest possible date to alleviate this problem.

GENERAL SERVICES ADMINISTRATION

Amendment No. 206: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which makes available additional funding for the construction of a new Post Office and Courthouse Annex in Charleston, South Carolina.

Amendment No. 207: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate increasing the limitation on expenses of transportation audit contracts and contract administration in General Management and Administration.

Amendment No. 208: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in an Administrative provision which provides for the transfer of a certain parcel of federal land in New Mexico to the city of Santa Fe, New Mexico.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Amendment No. 209: Appropriates $250,000 for salaries and expenses as proposed by the Senate.

OFFICE OF PERSONNEL MANAGEMENT

Amendment No. 210: Provides for official reception and representation expenses of $1,000 instead of $2,500 as proposed by the Senate.

Amendment No. 211: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which transfers $2,000,000 from the Civil Service Retirement and Disability Fund to the Office of Personnel Management.

TITLE II

GENERAL PROVISIONS

Amendment No. 212: Deletes language proposed by the House and stricken by the Senate which would have repealed section 1013 of the Budget and Impoundment Control Act. This action is being taken based on the assurance of the Director of the Office of Management and Budget that no policy deferrals will be proposed by the Administration for the balance of the calendar year. Such action will allow the courts additional time to address this issue and for the Congress to deal with the issue in future legislation.

Amendment No. 213: Changes section number as proposed by the Senate.

Amendment No. 214: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the percentage reduction required for payments made from various receipt accounts by Public Law 99-177 (Gramm-Rudman-Hollings) shall be the same as required for all nondefense accounts. The House-passed bill has no such provision.

The managers take this section without prejudice to court cases on the provisions of the Gramm-Rudman-Hollings legislation.

Amendment No. 215: Deletes the Senate provision directing the Secretary of the Treasury to invest moneys payable to States and other localities from programs administered by the Secretaries of Agriculture and the Interior and sequestered pursuant to Section 252 of Public Law 99-177 (Gramm-Rudman-Hollings), but not cancelled under Section 256(a)(2) of that Act, in interest-bearing debt instruments, such interest to be payable along with the reserved funds when such funds are released for payment. The House-passed bill had no similar provision.

The managers agree that the sequestered funds should be released for payment within 30 days after the end of the fiscal year, so that the affected States and localities may use the funds without further delay.

INDIRECT COST OF RESEARCH

Amendment No. 216: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment, with an amendment as follows:

In lieu of the matter stricken by said amendment insert the following:

Sec. 203. None of the funds in this Act, or any other Appropriations Act for fiscal year 1986, may be used to implement changes to OMB Circular A-21 made subsequent to February 11, 1986: Provided, That this provision shall expire 60 days after the date of enactment of this Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

It is the conferees' intention that the OMB should work with the universities to resolve this issue within the time provided.

MEDICARE CAPITAL COSTS

Amendment No. 217: Restores language inserted by the House but deleted by the Senate which extends from September 30, 1986 until September 30, 1987 the moratorium period during which the Department of Health and Human Services is prohibited from including the cost of capital in the Medicare prospective payment system.

COMPACT OF FREE ASSOCIATION

Amendment No. 218: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to read as follows:

In lieu of the matter proposed by said amendment insert the following:

Sec. 207. Notwithstanding section 514 of Public Law 99-178, amounts appropriated by that Act for Federal financial assistance to the Trust Territory of the Pacific Islands shall be available, as would have been available had the Compact of Free Association Act

(Public Law 99-239) not been enacted, until alternative funding is available under the terms of the Compact of Free Association Act of 1985 (Public Law 99-239). Thereafter, except insofar as the Compact of Free Association Act otherwise provides, such amounts shall be available only for the Republic of Palau, but only in amounts that such Republic would have received had the Compact of Free Association Act of 1985 not been enacted.

The managers of the part on the Senate will move to concur in the amendment of the House to the amendment of the Senate.

SERVICE CONTRACT ACT

Amendment No. 219: Deletes language proposed by the Senate which would have amended section 7 of the Service Contract Act of 1965.

POWER MARKETING ADMINISTRATIONS

Amendment No. 220: Deletes language proposed by the House and inserts language proposed by the Senate restricting the soliciting of proposals, preparing or reviewing studies, or drafting proposals designed to transfer the Federal Power Marketing Administrations and the Tennessee Valley Authority out of Federal control.

Competition With U.S. Farm Producers

GENERAL PROVISION—SEC. 209

Amendment No. 221: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides bill language prohibiting the use of U.S. bilateral assistance for programs that would be in competition with U.S. farm producers.

The conferees have agreed to include Section 209 recommended by the Senate concerning commodity exports by developing countries; however, the conferees agree that this language is only intended to apply to: (1) projects or activities that are specifically and principally designed to increase agricultural exports in developing countries that can reasonably be expected to cause substantial injury to United States exporters; (2) the production of such agricultural commodities for export that are deemed to be in direct competition with U.S. agricultural exports.

Amendment No. 222: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate. The conferees agree to language proposed by the Senate dealing with the applicability of New York City Local Law 19 regulating city contractors who do business with companies that sell goods or services that originate in South Africa. The Senate amendment would allow New York City to receive its fiscal year 1986 grant awards previously approved by law. Except as to Interstate Substitute Transfer of funds for highways, the term contract shall include a contract for which the plans, specifications, or a proposed contract have been submitted for approval to the federal government by October 1, 1986.

TRADE ADJUSTMENT ASSISTANCE

Amendment No. 223: Deletes language proposed by the Senate which would amend the Trade Act of 1974.

Amendment No. 224: Deletes language proposed by the Senate which amends Section 3216(c) of title 39, United States Code. Despite a 1600% increase in the volume of incoming mail in recent years which has been accompaned by an approximate increase of 200% in mail sent out by the Members and Committees of Congress, the conferees note that there is concern regarding the current status of the franked mail appropriation level. While significant reductions in the real cost of operating the Legislative Branch have compensated for the increase in mail fees and volume, each body of Congress is making an effort to deal with the problem. The Senate calculated the amount remaining for Congressional mail and has made a mail allowance allocation to each Senator for the balance of fiscal year 1986. A bipartisan House leadership group has instituted a widespread and comprehensive program of voluntary restraint. By all accounts, both programs are working; postal officials indicate that outgoing mail volume has dropped significantly. In addition, the House, under the leadership of an ad hoc task force appointed by the Speaker and Minority Leader, attempted to establish additional reforms in the rules that govern volume mailing together with the supplemental appropriation necessary to make full payment of the postal fees. There is clearly willingness in both House and Senate to address the mail question. Since a feasible and constructive solution will require a bicameral, bipartisan agreement, the conferees recommend that the Speaker and Minority Leader of the House and the Majority and Minority Leaders of the Senate appoint a temporary joint committee or commission comprised of Members of each body to work in consultation with the Postal Rate Commission and the Postmaster General to develop a balanced proposal that will recognize the responsibility of Members of Congress to be responsive and informative to their constituencies as well as applying reasonable restraints on the use of franked mail. Such committee or commission should report its findings and recommendations to both Houses and to the committees of jurisdiction so that appropriate changes in the statutes, rules, or regulations governing the respective bodies can be made effective with the 100th Congress.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for fiscal year 1986 and fiscal year 1987 recommended by the Committee of Conference, with comparisons to the fiscal year 1986 budget estimates, and the House and Senate bills for 1986 follow:

Budget estimates of new (obligational) authority, fiscal year 1986.[1]	$7,721,965,000
House bill, fiscal year 1986 (net)	1,679,485,000
Senate bill, fiscal year 1986 (net)	3,874,472,000
Conference agreement:	
Fiscal year 1986 (net)	1,698,120,000
Fiscal year 1987 (net)	−5,942,000,000

Consisting of:	
Appropriations for FY 1987	(100,000,000)
Rescission in FY 1987	(−6,042,000,000)
Conference agreement compared with:	
Budget estimates of new (obligational) authority: Fiscal year 1986	−6,023,845,000
House bill:	
Fiscal year 1986	+18,635,000
Fiscal year 1987	−5,942,000,000
Senate bill:	
Fiscal year 1986	−2,176,352,000
Fiscal year 1987	−5,942,000,000

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[1] Includes $5,587,519,000 of budget estimates not considered by the House.

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William H. Natcher,
Neal Smith,
Sidney R. Yates,
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Edward R. Roybal,
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William Lehman,
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Silvio O. Conte
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